

LAW REPORTING—THE WEEKLY REPORTER.

The committee, formed in November, 1863, to consider the present system of Reporting, &c., having issued a circular inviting subscriptions to a New Monthly Series of Standard Reports, the Proprietor of the WEEKLY REPORTER, fearing reticence at the present moment from him might be construed into the probability of the discontinuance of that work, begs to inform his subscribers that it will be published as heretofore. The Proprietor, in giving this notice, in no way wishes to interfere with the proposed new set of Reports, or with any other existing series. The WEEKLY REPORTER, he ventures to submit, has now, in its Thirteenth Volume, so firm a hold on its subscribers, and its utility, accuracy, and the expedition with which the decided cases are reported, are so well known and appreciated, that its non-publication would be a serious inconvenience to the present subscribers and the Profession generally.

The Solicitors' Journal.

LONDON, MARCH 25, 1865.

"THE JUSTICES PROCEDURE ACT FOR ENGLAND, 1865," bids fair to be a very useful specimen of consolidation of that branch of the law which relates to procedure before justices of the peace out of quarter sessions. The bill now before us has been brought in by Mr. Paull, Mr. Staniland, and Mr. R. Hodson, and the second reading is fixed for Wednesday, the 29th of March. Evidently great labour has been expended in framing this measure, and the result is apparently as near an approach to perfection as might be expected. It is understood that Mr. Oke, the principal clerk to the Lord Mayor, undertook the task of preparing the bill, and with a view to obtaining suggestions from the profession and magistrates, issued a circular to those persons chiefly concerned in the administration of the branch of the law to which the bill relates.

As a matter of course, a bill, which purports to consolidate and amend the many statutes which contain what may be styled justices' law, is very lengthy, but it bears on the face of it evident marks of careful consideration, and forms in itself a complete code of practice before all descriptions of magistrates. The plan of the bill divides the whole subject under fourteen heads, and brings together, under each head, all Acts and parts of Acts relating to the particular subject in hand. There is an index showing the arrangement of the subjects and of the clauses under each division, so that any one can at a glance ascertain under what heading the subject he is dealing with is placed, and also the particular clause in that division which refers to it. The bill also contains the usual table of Acts repealed, but it also contains what is still more useful, and is altogether a novel feature in Acts of Parliament, namely, a comparative table of repealed Acts and new provisions. This table is in two columns, and takes the repealed acts *seriatim* and describes them in the first, and in the second shows in what section of the present bill they are re-enacted, or the reasons for their omission, or what new provisions are made in their stead. Every section therefore which is repealed is accounted for in one of those three modes, and we cannot too highly commend this plan as most suitable, and in fact necessary in all consolidation Acts. One of the most useful amendments consists of a uniform table of fees to be taken by all clerks to justices, except in the metropolis, but there are many other amendments and additions which satisfy most of the points in which former Acts have been found defective, and we recommend those whose practice requires a special knowledge

of justice's law to carefully study this bill in its passage through Parliament, in order that all aid may be given to make so useful a consolidation Act as perfect as possible.

THE CASE OF WILLIAM AMBLER and Charles Bradbury, his clerk, was decided on Saturday last at the Manchester Assizes. The facts of the case were set out in this Journal at the time of their occurrence.* Both prisoners were sentenced to four months' imprisonment without hard labour.

IT IS SOMETIMES SAID, and we fear with truth, that we in England are too narrow and contracted in our legal views, and that even when forming our estimate of judicial character, we cannot go beyond our own peculiar institutions. We often hear it remarked that Lord Justice A. is a model of an equity judge, and that Chief Justice B. is an ornament to the Common Law Bench; while Vice-Chancellor This, and Mr. Baron That, discharge their duties in a very indifferent manner. But whatever may be the particular opinion of judicial merit which the occasion may bring forth from the English lawyer, it will be found to be an opinion formed solely with reference to his own tribunals, and to the exclusion of all professional knowledge of other systems. This is to be regretted, for we might often with great advantage to ourselves, look a little beyond us. We might even, with benefit to our laws and customs, cross the border at times, and pay a visit to the Court of Session in Scotland, and see how it fares with the judges of that Franco-Scottish establishment. To the praises of one of these learned personages in particular we are not unaccustomed. We allude to the head of the Court or of the College of Justice, as it is otherwise described, Lord President McNeill, the Chief Justice, or Lord Justice General of Scotland. Of this distinguished man we have heard it said that he may be considered the finest impersonation of the judicial character at present within the three kingdoms, and we could name one or two of our English judges who would, we think, be all the better of observing the manner in which the Scottish Lord President administers justice. His attention to the business of his court, his patience, his ready learning, his impartiality, his tranquil mind, and his serene temper, all combine to make the Lord President the *beau ideal* of a judge. If he had been on the English bench we would never hear the end of his great merits, but as he is only a Scotch judge, a discriminating knowledge of his remarkable judicial accomplishments is of necessity almost confined to Edinburgh; indeed, we very much doubt whether the Scotch themselves sufficiently appreciate the abilities and qualities of their Lord President, although the Scotch Bar may be taken to set a high value upon his Lordship's services. Recently, on the occasion of a public dinner in Edinburgh, Mr. George Patton, a gentleman of high standing in the profession, who held the office of Solicitor General under Lord Derby's government, in replying to the toast of "The College of Justice," is reported, among other things, to have expressed himself as follows:—

We are proud of our judges; we are especially proud of that highly distinguished judge who presides over the College (Loud applause)—and who, I will venture to affirm, has certainly never been excelled during the long period of the existence of the College in the qualities befitting the holder of that high office in judicial ability and demeanour—in the power of sifting to the bottom every disputed problem—in the vigorous grasp of his apprehension—in the thorough knowledge of law, or in the clear and lucid exposition of the grounds on which his judgments are rested. (Loud applause.) One fact I cannot help stating; it is a fact from which you may judge the man. Appointed to the President's chair in May 1852, Lord President McNeill has never up to the present hour been absent at any meeting of the Court, ordinary or extraordinary, except upon one single day, and

* 8 Sol. Jour. 973.

on that day he was presiding in a long and protracted trial in the Court of Justiciary. I may add that during that now long period of office, he has never—by his absence at the hour of its meeting, accidental or otherwise—caused the delay of a single minute in its proceedings.

This is a just tribute, and it is one that ought not to be passed over. Could the same be affirmed of any other judge of the present day? Lord President McNeill was the Lord Advocate under the last government of the late Sir Robert Peel, and for many years he represented his native county, Argyllshire, in Parliament. He was appointed to the Bench by Lord John Russell's Government, under the title of Lord Colonsay; and was soon after promoted by Lord Derby, as Mr. Patton stated, to his present high office. His Lordship is brother to the Right Hon. Sir John McNeill, of diplomatic renown, and one of the two commissioners who were appointed to examine into the state of the Army Commissariat towards the close of the late Russian war.

REPORT AND EVIDENCE OF THE PATENT LAW COMMISSION.

Some time ago* we took occasion to make a few observations on the general policy of granting patents for inventions. We then gave our reasons for advocating the abolition of the whole system, as being one which had no foundation, in the suggestion of a moral right on the part of the inventor, but which must be held to rest solely on the ground of public convenience. The latter basis we maintained to be, as regards the interests of the public, fallacious; with respect to the inventor, of very doubtful solidity.

Towards the end of 1862 a commission was appointed by her Majesty to inquire into the working of the present system. With its constitution we have every reason to be satisfied, containing, as it does, among its members, men of the highest eminence of the several classes whose opinions called for expression. On the part of the general public there are Lords Overstone and Stanley; of the Government, Mr. Waddington; of the bench and the bar, Sir W. Erle, Sir W. Page Wood, Sir W. Atherton (whose premature death we have, not now for the first time, to regret), Sir H. Cairns, Mr. Grove, and Mr. Hindmarch; of the manufacturing interest in particular, Messrs. Forster, M.P., and Fairbairn.

The report of this commission, and the evidence taken before it, are now in our hands; the former containing, in eight recommendations, all those changes which the commissioners, by whom it is signed, think necessary for the more efficient working of the present system. From these we gather nothing to shake our confidence in the opinions we expressed by anticipation; while much of what we there read, and the absence of much which might have been expected, only tend to confirm those views. The evidence appears to comprise every shade of opinion existing among the several classes who are interested in the question of patent rights; nor could it have been an easy task to digest, still less to weigh against each other, and, as far as possible, to reconcile, the various objections and suggestions which are here offered to the commissioners. We cannot, therefore, altogether concur in the feeling of surprise that has been expressed in some quarters at the length of time that has elapsed during the prosecution of this inquiry. If the report is to be regarded, as no doubt it must be, as the basis of a "Patent Law Amendment Act, 1865," it could not but be the result of the fullest consideration, and its conclusions fairly deducible from the evidence taken. We notice, too, that the taking of evidence was, after some intermission, resumed towards the end of last session, at the instance of the departments of the Admiralty and of War, which had, like most of the other witnesses, their special grievance to bring forward.

Into the policy of the law, it must be remembered, it was not within the province of the commission to in-

quire. We find, on turning to the debate on the motion for an address to the Queen, praying its appointment (May 27th, 1862), that the House, after some discussion, adopted the view of Sir H. Cairns, who thought that to enter into this question would so open the field for the expression of entirely opposite opinions, as seriously to diminish, if not to destroy, all hope of obtaining a practical result from the inquiry. As it is, the commissioners have not been able to arrive at unanimity. We have first of all the general report and recommendations, signed by all the commissioners excepting Mr. Hindmarch. Their conclusions are as follows:—

1. That the present cost of obtaining letters patent is not excessive, nor the method of payment inconvenient; they do not, therefore, recommend any alteration of the present system on these points; but they think that patent fees should not be made to contribute to the general expenditure of the State until every reasonable requirement of the Patent Office has been satisfied.

2. They are unable to recommend a preliminary investigation into the merits of the invention for which the patent is claimed; but they advise that a careful inquiry be instituted under the direction of the law officers of the Crown, as to whether there has been any previous documentary publication of the invention, either by grant of letters patent or otherwise; and if such publication have taken place, that the patent shall be refused. No evidence, other than such documentary evidence should be admissible, and the reasons for the refusal to grant such patent should be certified by the law officers. An appeal from their decision should lie to the Lord Chancellor.

3. They are of opinion that the present mode of trying the validity of patents is not conducted in a satisfactory manner. That such trials ought to take place before a judge, sitting with the aid of scientific assessors, but without a jury, unless at the desire of both parties to the suit or action. That such assessors ought to be selected by the judge in each case, and the remuneration to be paid them be included in the costs of the suit or action and provided for in such manner as the judge shall direct. That no special judge be appointed for the trial of patent cases; but that the judges of law and equity be empowered to make rules by which one Court should sit for trial of patent cases exclusively. That on such trial, the judge, if sitting without a jury, decide questions of fact, as well as of law.

4. That the granting of licenses ought not to be made compulsory.

5. That patents ought not to be granted to importers of foreign inventions.

6. That in no case ought the term for which a patent is granted to be extended beyond the original period of fourteen years.

7. That in all patents hereafter to be granted, a proviso shall be inserted to the effect that the Crown shall have the power to use any invention therein patented, without previous license or consent of the patentee, subject to the payment of a sum to be fixed by the Treasury.

8. That while the changes above suggested will do something to mitigate the inconveniences now generally complained of by the public as incident to the working of the Patent Law, it is their opinion that these inconveniences cannot wholly be removed. They are in their belief inherent in the nature of a patent law, and must be considered as the price which the public consents to pay for the existence of such a law.

Subsequently to the general report we have the special recommendations of Mr. Hindmarch, agreeing *modo et forma* with the 4th and 5th only of the suggestions of the former. To the 1st and 3rd and 7th, he gives a modified adherence; as to the 1st, suggesting, in addition, that the applicant for a patent should, on refusal of the law officer's fiat, have the same right of appeal to the Lord Chancellor as a party opposing the grant would have; as to the 3rd, expressing his opinion that the amount of business will require the appointment of an

* 8 Sol. Jour. 669, 695.

additional judge, whose leisure moments should, however, be utilized to the public by giving him jurisdiction in ordinary suits and actions; proposing also that there should be an appeal from the first decision to the judgment of a full Court, and from that to the House of Lords only; and, as to the 7th, recommending that, where the amount to be paid by the Crown to the patentee cannot be fixed by mutual agreement, it should be assessed by the tribunal (sitting without a jury), which may have jurisdiction to assess damages in an action for infringement. He dissents entirely from the 2nd recommendation, but suggests that, where there is a question of fact in dispute on the hearing of an opposition, the Lord Chancellor should have power to direct an issue to be tried between the parties before granting the patent. From the 6th he likewise dissents, thinking that the grounds on which alone the Privy Council now advises a prolongation of the term of fourteen years, justify the maintenance of that privilege for the encouragement of inventions for the public benefit. He also proposes to give a right of appeal from the decisions of the law officers in questions of disclaimer and memoranda of alterations, and to substitute for the proceeding, by *scire facias*, an application by petition in a summary way, to be heard by the Lord Chancellor, or by the special Court or judge. He would bring patent agents under the control of the Courts by a registry, and the issue of certificates, as is the case with solicitors; and would repeal the existing Acts relating to patents, with the exception of the Statute of Monopolies, and have one consolidated and amended Act.

Finally, we have a short addendum signed by Mr. Fairbairn, qualifying his assent to the general report, so far as the 6th recommendation is concerned, and as to that adopting the views of Mr. Hindmarch, and generally admitting the utility of that gentleman's suggestions.

In the evidence, which occupies more than 200 double columns in folio, as in the commission, we find the opinion of every class of men is illustrated and maintained. Officially are present Mr. Reeve, clerk to the Privy Council, Mr. Edmunds, then clerk of patents, and Mr. Woodcroft, superintendent of specifications. On procedure and practice we have the views of several very eminent patent agents, both in London and the provinces; of some of the leading counsel of the day in patent cases, of Lord Chelmsford, the Master of the Rolls, and the present Attorney-General. The manufacturing interest generally is represented by replies from the Chambers of Commerce of twelve of the principal towns in the United Kingdom. The opinions of capitalists may be held to be maintained by Messrs. J. Platt, M. Curtis, Sir F. Crossley, and many others; while the cause of the poor inventor is not forgotten by the late Richard Roberts, by the Inventors' Institute, &c. Finally, though the course of examination was not directed to that point for the reasons we have stated; yet, even the opponents of all patent rights found advocates of their view in Mr. Scott Russell, Sir W. Armstrong, and one or two others.

Into any further examination of the evidence, or discussion of the amendments proposed, our space does not now permit us to enter; we propose to reserve these two topics for a future occasion.

THE EVIDENCE OF PRISONERS.

There is one measure of law reform which will be watched with the utmost jealousy in its course through Parliament—not only by legislators and lawyers, but by all classes. The Law of Evidence Amendment Bill, which was read a second time in the House of Commons on the 1st of March, contains seven distinct measures for the amendment of the law of evidence, the most important of these being contained in the 3rd and 4th sections, which are as follows:—"3. Upon the trial of any indictment, information, or inquisition, and upon any impeachment, whether for treason or other felony or misde-

meanour, the prisoner or defendant shall be allowed, if he or she shall so think fit, to offer himself as a witness on his own behalf; and the husband or wife of any such prisoner or defendant as aforesaid, shall be allowed, if he or she shall so think fit, to offer himself or herself as a witness on his or her behalf respectively.

"4. On the hearing before justices of the peace of any information for any offence or act punishable on summary conviction, the person charged with the commission of such offence or act shall be allowed, if he or she shall so think fit, to offer himself or herself as a witness on his or her own behalf; and the husband or wife of any such person charged as aforesaid, shall be allowed, if he or she shall so think fit, to offer himself or herself as a witness, on her or his behalf respectively."

There is nothing new in this proposal to alter the law; it has been many times discussed, and has as often produced the opposition of those most competent to form an opinion on the practical part of the subject. Need we call attention to the system of interrogation prevailing in France and other countries of the continent, to prove the extent of the evils which would be let in to operate for the defeat of justice in the condemnation of the innocent, and the acquittal of the guilty? Human nature is alike all the world over. The alternate interrogation, contradiction, and intimidation of a prisoner by a French judge, we so often find recorded, are only a type of that partisanship which is the child of their system, and which, in the eyes of Englishmen, lowers so signally the dignity of the bench.

A prisoner, put on his trial—say for a capital offence—can now make his statement, whatever it may be, and it is then a question for the jury to decide whether his witness has proved it, or whether it is incapable of proof. If it be proved, the prisoner gets the full benefit; and if it be incapable of proof, he at any rate gets the benefit of a doubt, but if he attempts to prove it and fails, he must bear the consequences, but it is a grievous error to report, as so many do, that the rules prevailing in England injuriously shut the mouths of prisoners. A prisoner on his trial may put into the mouths of his counsel or state himself to the jury any story, true or false, which he pleases; and unless the sworn evidence is contradictory of this story, or it is in itself so absurd as to be unworthy of credence, the judge will direct an acquittal, it being the duty of the prosecution to negative by evidence every hypothesis consistent with the innocence of the accused. If, then, the prisoner assumed innocent—states the truth—it is clear that the evidence, if not perjured, will not be inconsistent with that truth, and he is in as good a position as if he had been permitted to give his evidence *without cross-examination*. Nay, more, a prisoner, or his counsel, may suggest half-a-dozen inconsistent stories, and if any one of them be consistent with the evidence the prisoner is acquitted, whereas, if he were bound to select and swear to any of them, and was to fail in his proof of that, he would be, practically if not theoretically, bound to stand or fall by his own story, and might be convicted—say of burglary—not because it was proved that he had committed the offence, but because he had been shown to have told a lie about it.

On the other hand, if the prisoner abstains, as is frequently the case, from making any statement, and declines to say anything which would alter the complexion of the state of facts, he is not thereby prejudiced; and he may safely do that which the late Sir Cresswell Cresswell held that a co-respondent in his court was (by analogy to the case of a defendant in a civil action), precluded from doing—viz., hold his tongue altogether, and simply trust to breaking down the evidence for the prosecution.

There are, no doubt, many instances in which the evidence of a prisoner is the only direct evidence which could be brought forward; but it would be unfair to say that, to meet such cases—cases in which the whole onus is on the prosecution—a door is to be opened to admit

abuses which, we contend, would be ten times greater than the evils sought to be remedied.

The only real hardship lies in the case, not altogether unprecedented, of perjured evidence. It is doubtless, at first sight, hard that a prisoner is to listen to a series of lies certified to on oath, which he is not permitted on oath to deny. But, assuming that the story told by the witnesses can only be contradicted by the evidence of the prisoner, and that that story stands the test of cross-examination, what chance would there be that the prisoner's oath would be believed against those of the supposed "independent witnesses;" and if, on the other hand, the prisoner's statement be capable of corroboration by independent testimony, he has all the advantage of being enabled to make that statement without exposing himself to the ordeal of cross-examination. It is this last necessary result of the proposed change in the law which makes us regard it with such dislike and suspicion.

It would be very hard upon most prisoners if they were always liable to be placed in a position which required them either to be put on their oath, and to give testimony of, to say the least, doubtful veracity, or, by declining to offer themselves as evidence, to give rise to a not unnatural suspicion of guilt. The mere fact of a prisoner declining to be sworn would be proof positive of his guilt in the minds of many jurymen, while we can hardly imagine a more painful position than that of counsel charged with the conduct of the cross-examination of a prisoner who, whether innocent or guilty, and the more innocent the more certainly, would be under a species of duress, and would be confused and unable to give perspicuous answers. No such temptation to apply moral torture ought to be put in the hands of counsel; no such temptation to perjury should be placed in the way of prisoners.

Mr. Gathorne Hardy, a gentleman, it will be admitted, holding a position qualifying him to express an opinion, gave the House the benefit of his experience on this question; he says:—

"When it is borne in mind that an accused person is warned from the moment he is taken before a magistrate not to say anything to criminate himself, it will be at once seen how sweeping is the alteration proposed, for, under its operation, the defendant will be liable to be examined, and then cross-examined, as to his whole career by the opposing counsel, who would not think he had discharged his duty unless he put pressure upon him, which, in many cases, a man would not be able to resist; so that, while a person with a nimble tongue might be able to go through the ordeal without suffering any damage, another not gifted with the same expertness of speech, might—although innocent—be convicted simply because he did not happen to be able to give a ready answer. Then again, if a man were prepared to give evidence, and his counsel should think it inexpedient that he should do so, it is obvious that the retort on the other side would be that the allegations made against him could not be contradicted, although, of course, there might be reasons, independent of a man's being guilty, which might lead him not to come forward as a witness. On the whole, to render prisoners competent, though not compellable, to give evidence on their own behalf, would, in my opinion, so far from being an improvement, tend to prejudice the course of justice."

Several writers in the daily press have asserted that if the prisoner Pellizzioni had been allowed to give evidence on his own behalf, his unnecessary conviction for the murder of Michael Harrington would never have taken place, but surely no person of sense would attempt seriously to sustain such a proposition. What could Pellizzioni have said except that he did not strike the death blow; all else which could have been urged in his behalf was urged by his counsel. The word of a prisoner charged with murder would not in any instance avail much, and in the case before us would have been absolutely of no value in opposition to the two or three witnesses who proved the case against him. Pellizzioni's case was, perhaps, a miscarriage of justice, but it was not one of those cases in which the evidence of the prisoner

would have weighed a single hair against the overwhelming testimony on the other side, and we must look elsewhere for the cause of this miscarriage and not to the absence of the prisoner's evidence. The Saffron-hill murder can form no ground for the alteration of the law, at any rate in this respect.

But, besides the evils attendant upon the fact that a prisoner is *prima facie* not a credible witness in his own behalf, and that his declining to be sworn would be taken as against him, it is difficult to believe that, under the system which this bill seeks to inaugurate, our judges could act impartially, and our juries express an unbiassed verdict. We do not for a moment mean to assert, or insinuate, that the present or any future occupants of the judicial bench, are not or will not be men of the highest honour and integrity; but we feel that it is impossible, *a priori*, to expect,—and all experience proves that in this case our *a priori* bearing is right—that any man can habitually be placed in the position of scrutinizing narrowly the statements of accused parties without coming, perhaps unconsciously, to deal with them hostilely. French judges and English policemen are living proofs of the soundness of our position.

If we could imagine the case of a prisoner being tried for murder, who should give evidence to show that he had actually committed the deed, and at the same time enter into explanatory details of the manner in which it was planned and accomplished, going through the story of his provocations and incitements to revenge; if, we say, we could imagine such a case, we could also imagine the horror of the judge, and the feeling akin to hate such a narration would inspire him with. But if such a criminal should offer himself as witness, with intent to hide the truth, the slow dragging from him by searching cross-examination of every circumstance, which he would but too willingly conceal, would help still more to work up the feelings of judge and jury, and steel them not against mercy alone, but common justice.

Let us beware how we imitate European Tribunals in this respect. If we were in Utopia, we might hope that the uncorroborated evidence of a prisoner at the bar would be received in his own favour, but then there would be no necessity to legislate on this subject, simply because there would be no criminals to deal with; but, as human nature is at present constituted, it would be dangerous to place in the hands of opposing advocates a power which might be cruelly exercised against the nervous or shrinking prisoner, and which would tell with crushing effect against many a man who, though innocent of the crime laid to his charge, might not be able, satisfactorily and creditably, to account for every moment of his whole antecedent career.

EQUITY.

RIGHT BY LONG ENJOYMENT TO INTERMITTENT FLOW OF WATER.

The Staffordshire and Worcestershire Canal Company v. The Birmingham Canal Company, 13 W. R. 130.

This case raised a question of considerable interest as to the right which may be gained by long enjoyment of what may be called an intermittent and artificial flow of water. The question arose between two companies which were formed nearly a century ago, for making two of the earliest canals in England. The Staffordshire and Worcestershire Canal Company was incorporated by an Act of Parliament passed in 1766. The Birmingham Canal Company was incorporated two years later. A clause was inserted in the Birmingham Canal Company's Act obliging that company to form a junction between its canal and the canal of the Staffordshire Company. The Birmingham Act had been opposed by the Staffordshire Company, and it appears that this clause was inserted at the instance of the Staffordshire Company, and against the wish of the Birmingham Company. At the

point of junction the level of the Birmingham Canal was 132 feet above the level of the Staffordshire Canal, and the junction was effected by a series of twenty locks. Whenever a barge passed down from the one canal to the other, the effect of opening the lowest lock was that a quantity of water contained in it flowed from the Birmingham into the Staffordshire Canal, and was lost to the former. In the year 1791 the Birmingham Company, in order to diminish this loss of water, added another lock to the series so as to make the whole number of locks twenty-one. There was a question whether this lock was added with the consent of the Staffordshire Company. A recent scarcity of water induced the Birmingham Company to consider whether they could not economise their supply, and with this object they proposed to place a sluice in the side of their lowest lock, so as to draw off the water which otherwise would have passed into the Staffordshire Canal, and then they proposed to pump up the water so drawn off and to return it into their own canal. The Staffordshire Company filed a bill to restrain this diversion of the water which had been accustomed to flow into their canal, and Vice-Chancellor Stuart granted an injunction, which has since been discharged by the Lords Justices.

The Acts of Parliament constituting the two companies supply very little help towards determining the question which thus arises. It may be said, on the one hand, that Parliament, when it enacted that the communication should be made, must have intended that the lower canal should always enjoy the benefit of receiving water from the upper. It may be said, on the other hand, that if Parliament intended this, it might have been expected that Parliament would have said so; but it has not. The judgment of Lord Justice Turner on this case, although, on the whole, satisfactory, and, perhaps, conclusive, is weakened by relying in part on arguments which seem to have no more weight than other arguments which were adduced by the losing side. As the case is one of considerable difficulty and importance, it may be worth while to inquire whether any light can be thrown upon it by decisions in reference to artificial watercourses at common law. The first case to which it is desirable to call attention is that of *Arkwright v. Gell*, 5 M. & W. 203. The plaintiffs in that case were occupiers of cotton mills at Cromford, in Derbyshire, and they complained of the diversion by the defendant of water to which they were entitled for the supply of their mills. This water flowed to their mills through a "sough," or artificial underground channel, which had been made many years before for the purpose of draining part of the district of Wirksworth, in order to work lead mines therein. Another "sough" had been made on a lower level, in order to work the lead mines further down, and the effect of this second sough was to draw off the water which used to flow down the first sough and supply the plaintiff's mills. The defendants were taken upon the case to be in the position of owners of part of the mineral field formerly drained by the first sough, and as now proceeding to drain a further portion of the same field by the new sough. The question before the Court was, what was the right which the proprietor of the surface where the stream issued forth, or his grantees, would have in such a watercourse at common law, and independently of the Prescription Act. The answer which the Court gave was, that he would only have a right to use the watercourse for any purpose to which it was applicable so long as it continued there. A user for twenty years, or a longer time, would afford no presumption of a grant of the right to the water in perpetuity; for such a grant would be neither more nor less than an obligation on the mine-owner not to work his mines by the ordinary mode of getting minerals below the level drained by the sough, and to keep these mines flooded up to that level, in order to make the flow of water constant for the benefit of those who had used it for some profitable purpose. The user, even for a much longer period than twenty years, whilst the flow of water was going on for

the convenience of the mines, would afford no presumption of a grant at common law as against the owners of the mines. It remained to be considered whether the Prescription Act gave the plaintiffs any right, and the Court was of opinion that it did not. The whole purview of that Act showed that it applied only to such rights as would, before the Act, have been acquired by the presumption of a grant from long user. The Act expressly requires enjoyment for different periods, "without interruption," and therefore necessarily imports such a user as could be interrupted by some one capable of resisting the claim; and it also requires it to be "of right." But the use of the water could not be the subject of an action at the suit of the proprietors of the mineral field lying below the level of the first-made sough, and was incapable of interruption by them at any time during the whole period by any reasonable mode; and as against them it was not "of right;" they had no interest to prevent it, and it was wholly immaterial to them what became of the water so long as their mines were freed from it. The Court, therefore, thought that the plaintiffs never acquired any right to have the stream of water continued in its former channel, either by the presumption of a grant, or by the Prescription Act, as against the owners of the lower level of the mineral field, or the defendants acting by their authority.

In a later case, *Wood v. Waud*, 3 Exch. 748, the same court had to consider the right of proprietors of mills upon a stream of water flowing along a sough as against the owners of collieries which that sough relieved from water. That right must have been gained, if at all, in consequence of the acquiescence of the owners of the collieries during twenty years by virtue of the presumption of a grant, or of the Prescription Act. But the court did not think that the right had been gained in either manner. Referring to the judgment in *Arkwright v. Gell*, the court said:—"We have again considered this subject, and are satisfied that the principles laid down as governing that case are correct, and were properly acted upon by the court, by deciding that no action lay for an injury by the diversion of an artificial watercourse, where, from the nature of the case, it was obvious that the enjoyment of it depended upon temporary circumstances, and was not of a permanent character, and where the interruption was by the party who stood in the situation of the grantor." The court went on to say that the right to artificial watercourses, as against the party creating them, must depend upon the character of the watercourse, and upon the circumstances under which it is created. The enjoyment for twenty years of a stream diverted or penned up by permanent embankments would stand upon a different footing from the enjoyment of a flow of water originating in the mode of occupation or cultivation of a person's property, and presumably of a temporary character, and liable to variation. After mentioning the cases of a flow of water from the eaves of a house, and from an agricultural drain, the court said:—"The state of circumstances in such cases shows that one party never intended to give, nor the other to enjoy, the use of the stream as a matter of right."

Before attempting to apply this exposition of the law to the case before us, it may be useful to ascertain what is the bearing of the Prescription Act upon such a case. By that act (2 & 3 Will. 4, c. 74, s. 2) it is enacted that no claim which may be lawfully made at the common law, by custom, prescription, or grant, to any watercourse, or the use of any water, when the same shall have been actually enjoyed by any person claiming right thereto without interruption for the full period of twenty years, shall be defeated by showing only that the same was first enjoyed at any time prior to such period of twenty years; and where the same shall have been so enjoyed, as aforesaid, for the full period of forty years the right thereto shall be deemed absolute and indefeasible. By s. 5 it shall be sufficient in pleading to allege an enjoyment "as of right." The effect of this statute is that

where the use of water has been "actually enjoyed by any person claiming right thereto without interruption" for forty years, the right thereto becomes absolute. Now, in the case before us there had been enjoyment "without interruption" of the flow of water ever since 1791, when the additional lock was constructed; and, therefore, the only question seems to be whether that enjoyment was as "claiming right thereto." That question was answered by Lord Justice Knight Bruce in the negative, when he said that the enjoyment was "permissive." In the cases above cited the questions which arose were considered both at common law and under the statute; but it seems that in either way of viewing them the process of reasoning would be the same, for if you presume a grant, the enjoyment under it would be of right. Perhaps a better test for the decision of the case before us could not be preferred than that which is supplied by the judgment in *Wood v. Ward*, viz., whether the state of circumstances shows that one party intended to give and the other to enjoy the use of the discharged water as a matter of right? It is possible that different minds might answer this question differently.

The plaintiffs' counsel strongly urged an argument founded upon what may be called reciprocity. They asked whether it could be supposed that the plaintiffs were at liberty to refuse to receive the water, and, if not, whether the defendants could be allowed to withhold it. A similar argument was urged upon the Court of Queen's Bench in the case of *Magor v. Chadwick*, 11 A. & E. 571, and it seems to have been approved by the Court. But that case was brought under the notice of the Court of Exchequer in *Wood v. Waud*, and that Court adhered to its own doctrine as laid down in *Arkerwright v. Gell*, although the doctrine of the Queen's Bench is not easily reconcilable therewith. The Court of Exchequer has bestowed great consideration upon this subject, and probably their treatment of it will be thought more satisfactory than that of the Court of Queen's Bench. It is certain that the plaintiffs in *Arkerwright v. Gell*, could not have refused to allow the water from the sough to flow past their mill, and yet they could not compel a continuance of the flow of water. So, in *Wood v. Waud*, the colliery owners could not have been restrained from pumping out water, and pouring it into the sough which carried it into a beck or brook, which flowed through part of the town of Bradful; but still those owners were under no obligation to go on pumping if they found it convenient to leave off. Therefore, in the abstract, it seems possible that a Court might hold that the Staffordshire Canal Company were obliged to receive the water, although the Birmingham Canal Company were not obliged to discharge it. Looking at the matter practically, it seems absurd to suppose that the Staffordshire Company could, under any possible circumstances, have an interest to refuse the water; and it may be added that it seems hardly less absurd to suppose that Parliament could have meant to allow them to receive the barges and refuse the water which came along with them. We might go one step further, and say that it is equally incredible that Parliament could have intended to allow the Birmingham Company to withhold the water. If this question were submitted to a jury, it is probable that they would find in favour of the Staffordshire Company. But the question came before the Court, and the Court said that there was nothing in the Acts of Parliament to give to the Staffordshire Company the right claimed by them.

ILLEGALITY OF HOLDING INQUESTS ON SUNDAYS.—Previous to entering on their fiscal business, the Carlow Grand Jury were called upon to consider a letter from the Castle, to the effect that the attention of the Lord Lieutenant had been directed to the fact that an inquest was recently held by the coroner for the county of Carlow on a Sunday. The matter was referred to the Law Adviser, who decided that it was altogether illegal to hold an inquest on a Sunday. This decision will be of importance to coroners, as the law in this respect does not appear to be generally known.

COURTS.

COURT OF BANKRUPTCY.

(Before Mr. Commissioner HOLROYD.)

March 16.—*In re T. W. Bilton*.—This Bankrupt applied by adjournment to pass his examination and for an order of discharge.

Mr. Woodbridge opposed on behalf of the assignees. At the last sitting the bankrupt had been directed to furnish a cash and deficiency account. Those accounts had been furnished, but were filed a day too late, and an adjournment would therefore be necessary on that ground. The bankrupt had been examined in private and had given up five books of account used by him in his profession, although he stated in his accounts that he had no books to give up, and an amendment in that respect would also be necessary. The only possible assets consisted of certain outstanding bills of costs in respect of bankruptcies at Hastings, in which the bankrupt was the solicitor, and he (Mr. Woodbridge) asked the Court to direct the bankrupt to make out the bills, and to assist the assignees in recovering them.

Mr. Goldring, who supported the bankrupt, said the only question in this case was as to who should bear the costs of the adjournment. The accounts were filed by the bankrupt only one day too late, and the mistake had arisen through inadvertence.

His HONOUR said that there was no estate, and as the adjournment became necessary in consequence of the default of the bankrupt, he must pay the costs. He also directed the bankrupt to assist the assignees in the collection of the outstanding bills of costs.

Adjourned accordingly.

March 23.—*In re Henry Atkinson Wildes*.—This case has been before the Court for a considerable time, and voluminous accounts have been filed. The bankrupt owes to unsecured creditors £10,739; to those holding security, £33,359. The property held as security is valued at £24,506. This was the adjourned sitting for examination and discharge.

Mr. Laverance, for the assignees, offered no opposition.

Mr. Linklater opposed for creditors.

The bankrupt, in the course of a protracted examination, admitted that he had been insolvent ever since 1858, and had been getting worse and worse.

Ultimately, he passed his examination, and the order of discharge was adjourned.

COURT FOR DIVORCE AND MATRIMONIAL CAUSES.

(Before Sir J. P. WILDE.)

March 21.—*Clark v. Clark, Perren, and Cumins*.—In this case, which was tried on the 15th inst. before his Lordship by a common jury, a verdict was returned for the petitioner, and a decree nisi was pronounced on the ground of the respondent's adultery with the two co-respondents. An application was then made by Dr. Spinks for the petitioner, which raised an important question as to the wife's right to the sum of money which had, in the usual course, been deposited in the Registry by the petitioner to meet the costs of the hearing.

The JUDGE-ORDINARY to-day delivered judgment as follows:—On the trial of this case I reserved the question of costs. A most improper, because entirely unfounded, defence had been set up by the wife, and detailed acts of cruelty set out in her answer, which she had no evidence whatever to support. The practice which obtains in this court of making the husband pay the costs of the wife, whether she succeeds in the suit or not, can only be justified by the supposed necessity of the thing. I say supposed, for I am by no means assured that the necessity is not rather theoretical than practical. But, at any rate, there can be no need for setting to the cost of the husband fictitious charges against him, and thus laying his purse at the mercy of his wife or her advisers. The amount thus heaped upon him makes his suit always costly and often impracticable. The wife in this suit has, by means of a fictitious defence, forced the petitioner to pay into court or secure £75 to defray her expenses, though she had been living in flagrant adultery, and had not a single witness on the trial on her own behalf. An efficient stop must be put to this practice, and the Court therefore pronounces the following order as to costs:—The

wife's costs must be taxed, as if she had only traversed the adultery, and had gone to trial upon that issue alone, all costs of, and occasioned by, the rest of her answer, being disallowed. From the costs thus taxed must be deducted any costs which the Registrar shall find that the petitioner has reasonably incurred, in witnesses or otherwise, for the purpose of meeting the charges made against him in the answer, and the residue, if any, is to be paid to the respondent out of the £75.

Dr. Spinks and Mr. Searle appeared for the petitioner; Dr. Wambey and Mr. Pritchard for the respondent; Mr. Underwick for Perren; and Mr. W. A. Holdsworth for Cumins.

SHOREDITCH COUNTY COURT.

(Before Mr. DASENT.)

March 22.—*Canning v. Bateman. Hemming v. The Same.—Workmen's combinations against Masters.*—These were two actions to recover wages earned and wages in lieu of customary notice, plaintiffs having been locked out by defendant.

Mr. F. A. Lewis appeared for the plaintiffs, who are clickers; Mr. Thomas Angell representing defendant, who is a master shoemaker, of Hackney.

Mr. Lewis called Canning, who said that he went to dinner one day at the usual hour, and upon his return found himself locked out with other men.

Mr. Angell here produced two printed notices. One was as follows:—"Talking and singing strictly prohibited, under pain of instant dismissal." This had been altered in the other by pasting "om" over "al" and "lo" over "in" so that it read "Tom King and slogging strictly prohibited, under pain of instant dismissal."

Both the plaintiffs admitted that they worked in the room where the bill was altered, but did not do it, and Canning said that he did not see it done, and did not know that it had been done.

One of the men locked out was called as a witness, and said that there was an objection to the notice when it was stuck up, and there was a general conversation about it. It was the talk of the room. Witness did not see the bill altered, but saw it afterwards, and the men laughed at it. The bill was about seven feet from the ground.

Hemming admitted that he had seen the bill altered. He declined to say if he knew who altered the bill.

His Honour.—Then I understand you to say that if you had known who had set the authority of your master at naught you would not tell?

Hemming.—I could not conscientiously do so.

His Honour.—This is not a question of conscience as between you and your brother workmen here, but you are sworn to tell the truth.

Mr. Angell then submitted that defendant was justified in locking out the men.

His Honour.—What about the wages actually earned?

Mr. Angell.—My client tendered the wages due, but the men refused to accept them. I urge now that all the wages are forfeited by the misconduct of the plaintiffs.

His Honour could not help feeling satisfied that before the bill was altered a general combination had ensued amongst the men as to who should do it. A bill placed seven feet from the ground, and altered as this was done, could not be defaced in ten minutes. His Honour had no doubt in his own mind that the man who had committed the offence had been chosen by the combination of his brother workmen. If the men combined together to set at naught the authority of the master and to alter his rules so as to turn them into ridicule, then the master was justified in locking them out as a body. And where they combined together for the purpose of defeating the master in obtaining the knowledge to which he was entitled, the master was entitled to lock out the men, who forfeited all the wages. Plaintiffs must be nonsuited.

Mr. Angell did not ask for costs.

CHERTSEY COUNTY COURT.

(Before H. J. STONOR, Esq.)

March 8.—This being the first day of sitting of the learned judge since his appointment, an address was, at the sitting of the Court, made to him, on behalf of the practitioners there, by Mr. H. G. Gazebrook, solicitor, of Chertsey, in which he referred, in touching terms, to their former judge, and mentioned, in eloquent and appropriate language, the high reputation which the present judge had already ac-

quired, and concluded with the usual congratulatory wishes.

His Honour returned thanks in a short speech, full of taste and good feeling.

Similar congratulations have been offered to the learned gentleman at other courts in his circuit.

ASSIZE INTELLIGENCE.

NORTHERN CIRCUIT—MANCHESTER.

March 22.—*The Bench and the Bar.*—At the close of the opening speech for the defence in the last cause in the paper to-day, Mr. James, Q.C., Attorney-General of the Duchy, called attention to the time, ten minutes to six, and asked if the judge proposed to go further.

Mr. Justice MELLOR said he intended to finish the case that night.

The Attorney-General said he should be obliged to retire, as he had been at work since daylight, and had not done yet; and (turning round,) he found his junior had left him in the lurch.

The Court.—I am always willing to meet the convenience of counsel, and no one wants rest more than I do; but I must go on, as there are several special jury causes left, besides the common jury causes.

The Attorney-General said his Lordship was always very kind, but he could go no further, and really must retire.

He then left the court; and, as his junior, Mr. T. Jones, had previously gone out, there was no one left to watch the case for the plaintiffs but their solicitor. Indeed, the only counsel in court were the learned counsel for the defence—Mr. Holker and Mr. R. G. Williams. When the first witness had been examined, Mr. Jones being still absent, the judge, addressing the jury, said: "If you think, notwithstanding the absence of the learned counsel, who has so contemptuously gone away, we can dispose of the cause satisfactorily, I will go on with it; but if you prefer to adjourn, I shall be happy to consult your convenience. But I protest against any judge of any court being dealt with in such a manner, and being at the beck of any counsel to order when he shall rise and when he shall sit." The jury agreed to continue the trial. One of the witnesses was then cross-examined by Mr. Barling, the solicitor for the plaintiffs. One of the plaintiffs, who was sitting at the table, said: "May I ask a question, my Lord?"

The Judge: "No, I can only allow one to do so."

Plaintiff: "We are under a great disadvantage, my lord."

The Judge: "I cannot help it; you must make your complaint to those who have occasioned your disadvantage. It is the first time in my experience, which embraces a very considerable number of years, that at only ten minutes to six o'clock on the last day but one of the assizes I have seen a judge so treated."

At twenty minutes to seven o'clock, Mr. Jones returned into court. He then requested his Lordship to adjourn the court, which he refused to do. Mr. Jones apologised for his own absence, but said that he found it impossible to conduct the case.—The Judge: "I am sorry for that; the Attorney-General was here, and could have conducted it, but simply because I did not obey his order to adjourn the court, he went out of court. I do not choose to be ordered by the Attorney-General or any attorney-general."—As the cause progressed, however, Mr. Jones found himself more able to enter into it. He cross-examined the witnesses, and, finally, replied in a long, effective, and closely reasoned address, and the Judge, in summing-up, observed, in conclusion, that he thought neither party would suffer the least by the absence of the counsel whose duty it was to have conducted this cause.

March 23.—Mr. Attorney-General James, now addressed the judge as follows:—"I am informed that your Lordship yesterday used some strong expressions with regard to my leaving the court. I am sure your Lordship had forgotten that during the progress of a cause yesterday, in the midst of the cross-examination of a witness, I was obliged to cling to the desk and sit down, in order to prevent myself from falling; and I am quite sure your Lordship would not, had I said I had been exhausted from excessive work, have made use of any expressions on my leaving the court yesterday."

The Judge: "If that had only been said, I should have complied with your request. I was not aware of it; nothing occurred to make me aware of it."

Mr. James: "During the time I was cross-examining a witness I was obliged to cling to the desk; my head swam, and I was obliged to sit down in the midst of the cross-exami-

nation. I supposed, when I had stated to your Lordship that I had been up from daylight studying."

The Judge: "I thought that was applicable to all the rest of the gentlemen at the bar, and that others had the same difficulties to contend with. I never desire to urge counsel to go on with the conduct of a cause when they are physically unable to do so."

Mr. James: "I was unfortunately deprived of the assistance of my junior at the time, or I should have retired without troubling your Lordship with my remarks."

The matter then dropped.

GENERAL CORRESPONDENCE.

CRIMINAL EVIDENCE AMENDMENT BILL.

"To speak my mind plainly," said the magistrate to Booth, "such are our laws, that one would think that they were rather made for the protection of rogues than for their punishment."—FIELDING (*Amelia*).

"If rogues did but know all the pains the law has taken for their benefit, honest men would have nothing left which they could call their own."—BENTHAM (*Introduction to Rationale of Evidence*).

Sir,—The contemptuous opinion expressed by Henry Fielding, the most brilliant novelist of the eighteenth century, and, withal, a practical and enlightened magistrate, with reference to the arbitrary and unphilosophical admission and rejection of testimony in our criminal courts of justice, re-echoed and intensified as it was by Jeremy Bentham, the ablest jurist of our own day, has been lately forcibly recalled to my remembrance by a letter addressed to me by Sir Fitzroy Kelly, M.P., inclosing a copy of his "Bill for the further Amendment of the Laws of Evidence, and the Practice in certain Courts of Justice." By the 3rd and 4th sections of this bill, it is proposed to enable, but not to compel, any person charged with treason, felony, indictable misdemeanour, or offence punishable on summary conviction, to offer himself as a witness on his own behalf, either on his trial or on his examination before the committing magistrate, and thus to extend a priceless boon to every innocent prisoner or defendant, who can, of course, desire nothing better than an opportunity of denying or explaining away, on oath, the facts which a perjured or an erring prosecutor or witness has mistaken or invented to his prejudice. These two clauses nevertheless will, I am assured, be opposed* strenuously in Parliament, and that by gentlemen who do not at all deny that they are calculated to screen and benefit the innocent accused, but who entertain, it seems, a morbid dread that they may in practice lead to the dealing out, not of wrong, but justice to the guilty criminal. I know not, sir, where you may think the merits of this controversy lie, but I feel confident that, at all events, you will concur with me in thinking that the question itself is very important, and well merits ventilation in your columns.

It is worth remarking, in the outset, that our existing regulations, so favourable to guilt, but so damnable to innocence, are not statutory, but judge-made law. They were probably admitted into our jurisprudence—I say "probably," because their precise date and origin are not certain—at a period when the rack or wheel were daily used to extort inculpatory confessions, the benevolent intentions of their framers being to put an end indirectly to the cruelties of a vile system with which, while strenuously supported by prerogative, they could not grapple, by ruling judicially that a prisoner, whether innocent or guilty, was alike incapable of giving any evidence at all. If this were indeed their motive, we may allow that their contrivance, though a clumsy one, does credit to their humanity; but is that a reason for keeping it still on foot, when the necessity which prompted, and alone could excuse, the pious fraud, has long since happily, and for ever, passed away?

The twofold purpose of sound legislation should be, I think, sir, the protection of the innocent, and the chastisement of the guilty, man; but the double result—whatever else may be the purpose—of our existing law of criminal evidence most surely is, the protection of the guilty and the embarrassment and oppression of the innocent.

"Most Englishmen," said Sir Samuel Romilly,† and the voice of Romilly—who, being dead yet speaketh—should be surely listened to with attention and respect wherever wisdom and virtue are revered, "Most Englishmen have

very superstitious notions of the rights and privileges of persons accused of crimes. It should seem, moreover, that if the great object of all trials is to discover the truth, to punish the guilty, and to afford security to the innocent, the examination of the accused is the most important and indispensable part of every trial." It may be replied—"This statement begs the question;" let me ask such an objector, then, not what he knows is, but what he thinks really ought to be, the end and object of judicial investigations? Ought they to be what Sir Samuel Romilly's remark implies that they legitimately and really are; or is every desirable end attained when we have secured brilliant and sensational exhibitions of the tact and eloquence of two well-fed advocates, entirely irrespective of the guilt or innocence of the parties whom they prosecute or defend? I may be in error, sir, but I cannot help believing that there is as much good sense as wit in the remarks of Samuel Butler:—

"Oaths were not purposed, more than law,
To keep the good and just in awe,
But to confine the bad and sinful,
Like moral cattle in a penfold."

Still, your *soi-disant* "practical men" will perhaps demur to the authority of a poet, although that poet be the author of "Hudibras." Let me, then, Mr. Editor, first cite a very recent dictum of Sir James Wilde, and then examine how it bears upon the question before us. "*Law means, justice administered according to rule, and in this, justice should be paramount and method subservient*;"* or, in other words, however high-sounding may be the epithets by which it is distinguished, any judicial system which does not tend to the protection of innocence and the punishment of crime, is defective, and deserves therefore to be abolished with the least possible delay.

As matters now stand, A., guilty, and B., accused unjustly, are to take their trials. "Utter not one word, for Heaven's sake!" cry the Newgate practitioners to their guilty client. "Don't add to our difficulties by your candour, and the rather as the law encourages, nay, insists upon your reticence, trust to our tact, our energy, our *savoir faire*, and then, depend upon it, let your case be what it may in fact, we will pull you through." The guilty prisoner acts implicitly on this advice. He knows "the least said is soonest mended." His incapacity of giving evidence serves at once as his excuse and his protection, while it multiplies his chances of the impunity he does not deserve. But the converse case—B., the innocent man, implores, but vainly implores, permission to lay before the Court, on oath, a statement which would not only clear him, but send him back to his fireside with honour. His advisers tell him that the law which screened his guilty comrade intervenes to gag and ruin him, though guiltless. What then, I ask, sir, can he answer, except "*Poli me occidistis amici*!"

"In a penal cause," says Bentham, "supposing the defendant not guilty, silence cannot but be detrimental to him; supposing him to be guilty, it cannot but be advantageous to him." This is the truth. What, then, sir, was the remedy which so long ago as 1802 the sage proposed to meet the noxious and anomalous state of things he deprecated? Neither less nor more than that which Sir Fitzroy Kelly (whom none who know him will call a rash or speculative would-be law reformer) urges on Parliament in the year 1865—I mean a permissive, not a compulsory, examination of prisoners or defendants.

But it is objected—"Do you not, in your pursuit of truth, risk tempting the accused to perjury either in the witness-box or when before the magistrate?" and it must be allowed that it is possible some such peril may be now and then incurred. What then? Some peril is involved in each and every thing we do or say. "It is," says Shakespeare, "dangerous to take a cold, to drink, to sleep; but out of that nettle, Danger, we pluck the flower, Safety!" Jesting apart, if the improvement Sir Fitzroy Kelly contends for be conceded to our criminal tribunals, what greater peril need we apprehend from its introduction there than that which has been found to flow from a similar wholesome innovation on the older law, introduced under Lord Brougham's auspices into the procedure of our civil courts in 1851? Fourteen years' experience has proved this so much dreaded danger to be infinitesimal, while the advantages of the measure are beyond calculation. Questionless it is no doubt that, when Sir Fitzroy Kelly's bill shall have become law—as it sooner or later must do—false tales will some-

* We trust so.—Ed. S. J.

† Memoir and Correspondence, vol. 2, p. 83, edit. 1840.

* See Times, 23rd September, 1864.

times be told on oath in witness-boxes, just as, but not more frequently than, they are told now-a-days. An evil, doubtless, but to be checked, and, so far as may be, eradicated, by punishment and exposure, but, in the meanwhile, to prohibit the innocent accused from giving evidence on oath in his own defence, because the guilty accused may, when in the witness-box, peradventure try to commit perjury, seems to be about as wise as to forbid the industrious to acquire property, lest its accumulations should tempt the idle man to theft. The first speech Sir Samuel Romilly every delivered in the House of Commons, thus dealt with, and, so far as reason could do so, destroyed this fallacy—"It is said to be very dangerous to expose witnesses to a temptation to commit perjury. Wantonly or unnecessarily so to expose them would be an evil most undoubtedly; but, where their testimony is necessary to the due administration of justice, the exposing them to such temptation must be regarded as an evil that is unavoidable."

The debate upon Sir Fitzroy Kelly's bill stands—provisionally—for the 22nd instant, but will probably be postponed until after the termination of the present assizes; meantime, in the hope that you, sir, and some of your correspondents, will favour the public and the profession with your opinions on this very important subject, I have the honour to be,
B. BLUNDELL, F.S.A.
March 15.

[If our readers will refer to our leading columns this week, they will see our views upon this point, which differ *toto cælo* from those of our correspondent.—Ed. S. J.]

EQUITY CHAMBER PRACTICE.

Sir,—You will, as I doubt not, give me space for a few observations as to the *hearing of summonses* in equity. This is a subject to which attention is desirable, and I shall be glad if my letter should catch the eye of some of our law reformers. It is really surprising that this subject has not before this been taken up in your Journal, devoted as it is to the interests of the profession; and I may remark that the interests of the client is that of the solicitor, if he practically understands his own interest.

What I may designate an "ugly grumbling" has been heard on this subject in the profession. By a well-known decision of the Lords Justices a hearing of a summons by the judge is an original hearing. The profession, however, is in the habit, at least to a considerable extent, of accepting the Chief Clerk's decision; but occasionally it is indispensable to go to the judge, by what is known as an appeal, and which is practically so. This is well known to be attended with the risk of costs, unless the judge overrules the decision of his chief clerk. With one exception—which, in delicacy, I will not mention—this is not an uncommon result. Personally I have had, in my own experience, but few cases requiring me to go to the judge, but my attention is called to the evil in question.

Now, sir, is it fair that a *hearing by the judge* should be attended with the penalty of costs? It is not, as I humbly submit. The object of the Legislature clearly was this—that the judge should personally dispose of all judicial business. It is true that, by the courtesy of the profession, the law is frequently, and, I may say, generally, taken from the lips of the chief clerk; but this does not affect a suitor's strict right. Some persons doubt, and I believe rightly, whether an order for such costs, by way of penalty, is legal. The infirmities of a hearing by a judge after a sitting in court are sufficiently well known to render the infliction of costs somewhat unbearable. In many instances business may really be said to be "got rid of" at chambers rather than heard, even by the judges. This is an unsatisfactory state of things, prejudicial both to the lawyer and the client, as I need hardly suggest. However, in drawing attention to this subject, I wish to be understood as doing so with all proper and sincere respect for the functionaries to whom I have made allusion. A general order on this subject is wanted, and I trust that the judges will presently give attention to this matter. It may seem presumptuous on my part, but I believe I may say that barristers are as dissatisfied as solicitors with the present system.

March 15.

J. CULVERHOUSE.

[As we understand the practice to be laid down, at any rate in the chambers of the Master of the Rolls and Vice-Chancellor Wood (we believe there are slight differences of

* *Memoirs, &c.*, vol. 2, p. 145.

practice in the different chambers), it is the right of every suitor, in the first instance, to go before the judge *in chambers*, at the same risk, and no more, as to costs, that he would run if he accepted a decision from the chief clerk; but if the matter be brought into court by adjournment or otherwise, and the party who has procured it to be so brought into court fail in his contention, he will have ordinarily, and surely rightly, to pay the costs.—Ed. S. J.]

WANTED—LAW CLASSES.

With reference to the letter of your correspondent, "A Law Student," which appeared in your impression of the 18th instant,* I beg to say that, if he will look to a few of the recent numbers of your Journal, he will find the letters I addressed to you on the subject to which he refers, stating that a memorial had been prepared and presented to the Council of the Incorporated Law Society, asking them to establish Law Classes.

If "A Law Student" will be so good as to favour me with his name and address, I shall be happy to answer any questions he may put to me, and forward any suggestions he may wish to make on the matter to the Council of the Incorporated Law Society.

W. J. FRASER.

78, Dean-street, Soho, W., March 20.

LEASE FOR THREE YEARS.

Sir,—The case of *Tress v. Savage*, 2 W. R. 564, 23 L. J. Q. B. 339, is in point, and shows that although the agreement in question is void as a lease for three years under the Statute of Frauds and the 8 & 9 Vict. c. 106, s. 3, yet the tenant would hold from year to year, subject to the terms of the agreement, so far as they might be consistent with a tenancy from year to year, and would be bound to quit at the expiration of the three years without a previous notice to quit. Several cases are cited in the report bearing more or less upon the point.

J. T. SARGENT.

Louth, March 22.

INCORRECT SHORTHAND WRITERS' NOTES.

Sir,—The Lord Chancellor on Wednesday last, whilst delivering judgment in the case of *Chinnock v. Marchioness of Ely*, said he was convinced that the shorthand note which he had seen of Vice-Chancellor Wood's judgment, which was appealed from, must be exceedingly inaccurate. It is but just that the public should learn, through the medium of the *Solicitors' Journal*, that I heard the shorthand writers, in conference upon the Lord Chancellor's observations, state that the notes said to be incorrect were not furnished by a shorthand writer in practice, but by a solicitor's clerk.

COURT MOUSE.

[Why should not a solicitor's clerk be a shorthand writer? We see nothing inconsistent in these functions.—Ed. S. J.]

BILL OF SALE—EVIDENCE OF.

Sir,—It was held in *Grindell v. Brendon*, 20 L. J. C. P. 333, that the book kept by the officers of the Queen's Bench under 17 & 18 Vict. c. 36, s. 3, was of such a public nature that a certified copy was admissible in evidence under 14 & 15 Vict. c. 99, s. 14, to prove the filing of the bill of sale and affidavit. Does this mean a certified copy of the bill of sale and affidavit, or a certified extract from the book as shown in the schedule to the former Act? Is there a subsequent case? I want to prove the filing of a bill of sale, and shall feel obliged by some subscriber informing me on this.

G. A. J.

FOX v. GRIMSHAW.

Sir,—Can any of your readers inform me where a report of this case can be found. It was heard in the Queen's Bench on the 25th January last, but I have not seen it reported in your Paper.

R.

RIGHT TO TREES IN HEDGE ROWS.

Sir,—A hedge divides the lands of A. and B., the ditch being on A.'s side of the hedge, and the ground on which the hedge stands being, with B.'s land, two feet higher than A.'s land, but the hedge is admitted to belong to A. Two oak trees stand in the hedge; the line of which hedge would run through the centre of the body of the trees. Has B. any claim to the trees? and if not,

* 9 Sol. Jour. 413.

would he be justified in lopping off the tops which extend twenty feet over his lands? Reference to some authority would oblige
R.

TITHE.

Sir,—In answer to the question of "Subscriber,"* I would refer him to the case of *Parish v. Steeman*, 8 W. R. 166, where, upon the construction of an agreement between landlord and tenant for the lease of a farm for a term of years, at a yearly rent of £40, payable quarterly, *free of all outgoings*, it was held (reversing the decision of Vice-Chancellor Stuart, 8 W. R. 18) that the word "outgoings" included the land-tax and tithe commutation rent-charge.

Had the words "and other outgoings" been omitted from B's covenant in the lease, the landlord might himself have had to bear the tithe, except perhaps in a neighbourhood where the tithe is considered a tenants' tax.

Louth, March 23.

J. T. SARGENT.

APPOINTMENTS.

HENRY SEWELL STOKES, of Truro, gent., to be clerk of the peace for the county of Cornwall.

The Queen has appointed Lord Chelmsford, Lord Naas, Lord Lyveden, Mr. Walpole, Mr. Monsell, The Lord Justice-Clerk, Mr. Justice O'Hagan, the Judge of the Court of Probate, Vice-Chancellor Wood, the Attorney-General, Sir Hugh Cairns, the Solicitor-General for Scotland, the Admiralty Advocate, and Alexander Dunlop, Esq., to be commissioners for inquiry into the marriage laws.

PARLIAMENT AND LEGISLATION.

HOUSE OF COMMONS.

Thursday, March 23.

THE TRIAL OF PELIZZONI.

Mr. ROEBUCK asked the Secretary of State for the Home Department whether he had seen any necessity for inquiring into the conduct of the police on the trial of J. Pelizzoni for murder; and, if so, to what conclusion he had come on that subject.

Sir G. GREY said he had not deemed it necessary to institute any such inquiry. The prisoner was tried upon a charge of murder, and was found guilty, not upon circumstantial, but direct evidence. Mr. Baron Martin, in reporting the case to him, had expressed his concurrence with the verdict, but at the same time suggested that under the particular circumstances, the sentence should be commuted to some minor punishment. Moggi had been put on his trial before Mr. Justice Byles, and convicted, not of murder, but of manslaughter. Meantime the sentence on Pelizzoni remained unexecuted. He should have been content to have let that verdict rest, but Mr. Justice Byles had felt it his duty to represent that in his opinion the evidence was not satisfactory, and he (Sir G. Grey) had felt it advisable to submit the notes of the second trial to Mr. Baron Martin, who had expressed his entire concurrence with Mr. Justice Byles, that the verdict in the second case was not satisfactory. Under these circumstances, he had thought it his duty to submit the papers to the law officers of the Crown; and, acting on their opinion, he had directed that Pelizzoni should be put upon his trial at the coming sessions, on the charge of stabbing, for which he had not been previously indicted.

SCOTLAND.

LAW AGENTS' CERTIFICATES.

A return has just been presented to Parliament of "the amount received in each of the last five years ending the 31st day of March, 1864, by the Commissioners of Inland Revenue, in respect of certificate duty payable by writers to the signet, attorneys, solicitors, agents, and procurators in Scotland." The total sums for these years are—1860, £10,624 10s.; 1861, £10,654 10s.; 1862, £9,919 10s.; 1863, £9,639; 1864, £9,565 10s.

JUXTA POSITION.—In the index of a recent excellent treatise on parochial law, by Mr. Duncan, advocate, we find the entry, "Vagabonds—see Sheriffs."—*Inverness Courier*.

* 9 Sol. Jour. 395.

IRELAND.

NEW APPOINTMENTS.

The following changes, consequent on the resignation of Serjeant Howley, of the chairmanship of Tipperary have been announced:—Mr. Rolleston, Q.C., becomes chairman of that county; Mr. Gibson (now chairman of Donegal), will be succeeded in the Queen's County by Mr. Joshua Clarke, Q.C., and the vacancy created by Mr. Clarke's promotion (what this is we are not informed) will be filled by the appointment of Mr. Hewitt Poole Jellett, Q.C., of the Munster Circuit. Mr. Jellett, in conjunction with Mr. Chapman Barber, and Mr. Henry T. Holland, of the English Bar, was the author of the statements on the practice in England and Ireland, drawn up for the Chancery and Common Law Commission. What has been done for or with Mr. Loftus Bland, Q.C., ex-chairman of Longford, we have not heard.

THE BELFAST RIOTS.

Mr. Baron Deasy, presiding in the Crown Court at Belfast, has been engaged for several days in the trial of the prisoners implicated in the riots which took place last August. The crown is represented by the Attorney-General, the Solicitor-General, Sir Thomas Staples, Q.C., Mr. Lowry, Q.C., and Mr. Shegog. The prisoners of one party have been defended by Mr. Whiteside, Q.C., Mr. Norwood, Mr. Falkner, Mr. McKane, and Mr. Weir; the other prisoners by Mr. Butt, M.P., Q.C., Mr. John McMahon, and Mr. Hamill.

The learned judge, in charging the grand jury of the county of Antrim, deplored that as many as ninety-five cases appeared on the calendar; but those of the class unconnected with the riots were few and unimportant. Arising out of the riots, five cases were alleged to be murder, six of firing at the person, and several for riots and assaults.

The trials were then proceeded with; the Crown have obtained convictions on several of the charges of riot and assault, and the Court inflicted punishment proportionate to the character of the offences. Two of the alleged murderers have been tried (one of each party) and in both cases the jury have disagreed.

ATTORNEYS', &c., CERTIFICATES.

Return "of the amount received in each of the last five years ending the 31st day of March, 1864, by the Commissioners of Inland Revenue, in respect of certificate duty payable by each of the following classes:—Attorneys and solicitors in Ireland, and conveyancers, special pleaders, and draftsman in equity in Ireland":—

Years ended 31st March.	Attorneys and Solicitors.	Conveyancers.	Total.
1860 . .	£10,147 10 0	£48 0 0	£10,195 10 0
1861 . .	9,748 10 0	51 0 0	9,799 10 0
1862 . .	9,862 10 0	57 0 0	9,919 10 0
1863 . .	9,588 0 0	51 0 0	9,639 0 0
1864 . .	9,460 10 0	105 0 0	9,565 10 0

CHAS. S. HAWTHORNE, Chief Accountant.

Inland Revenue-office, March 10, 1865.—*Saunders's News Letter*.

CONSOLIDATED CHAMBER.

(Before Keogh, J.)

COSTS.

Marking judgment, the amount of the debt sued for having been paid, and only costs being due.

Clarke v. M'Cornell.—Mr. Waters, of counsel for the plaintiffs, who are tobacco merchants in Cork, moved for leave to mark judgment, the officer of the court having refused to allow judgment to be marked, except by order of the court. The summons and plaint was issued in December last, to recover £6 15s. from the defendant, who is a shopkeeper near Newry, for goods sold and delivered. The defendant remitted £7 in two payments, but a balance was due, and the plaintiffs, therefore, wished to mark judgment.

Mr. Justice Keogh.—How much do you say is due?

Mr. Waters.—£1 0s. 5d.

Mr. Justice Keogh.—The debt is paid by the £7 sent. How can judgment be marked when the debt is satisfied?

Mr. Waters.—With great respect the debt is not paid. When a writ is issued, debt and costs are due, and the plaintiff can appropriate any payment to debt and costs, and mark judgment for the balance due.

Mr. Justice Keogh.—Why was a writ issued at all for £6 5s.?

Mr. Waters.—To save the defendant costs. If there was a civil bill process, the expense of bringing a witness from Cork would be much more than the cost of the writ.

Mr. Justice Keogh said he did not think any part of the debt was due, £7 being paid. He would refuse the motion.

LEGAL STATUS OF THE CONFEDERATE STATES.

(Continued from p. 197.)

7. The next inquiry relates to the power of the Federal Government over the revolted States. While in possession of the "rebel" authorities, the power of the Federal Government is to be exercised in compelling these States, by force, to return to their allegiance to it. This is to be done by military force employed in destroying the opposing armies. It is unnecessary to waste time on the law regulating the mode of waging war; this point does not affect our subject, so I shall pass over it in silence.

The debatable questions grow out of the presumed conquest of these States by Federal armies. What would be the power or right of the Federal Government over the people and property of these States, on the hypothesis that they have been conquered and occupied by our armies? This inquiry naturally divides itself into two branches, the one relating to property, and the other to the political power; of these in their order.

And first, as to property. This question may be dismissed in a few words. "We have a right," says Vattel, 364, § 161, "to deprive our enemy of his possessions, of everything which may augment his strength, and enable him to make war. The property belonging to the Government of the vanquished nation passes to the victorious State, which also takes the place of the former sovereign in respect to the eminent domain." Wheat. 597. In *Brown v. The United States*, 8 Cranch, 123, the Court held that the power of confiscating enemy's property was in the Legislature. "When war breaks out, the question, 'What shall be done with enemy's property in this country?' is a question rather of policy than of law," Wheat. 541. "According to strict authority," says Kent (1 Kent's Comm. 56), "a State has a right to deal as an enemy with persons and property so found within its power, and to confiscate the property and detain the persons as prisoners of war."

In the present war, the private property of the citizens is being used by the Confederate Government to carry on the war; hence it becomes public property, and is liable to seizure as such. By the law of the Confederate Congress, the Confederate authorities are empowered to take possession of all private property for its own uses in prosecuting the war. Such a law converts all private into public property, and justifies our armies, therefore, in taking or destroying all property which can be converted to the purposes of war. So, too, all men between fourteen and sixty are liable to be taken as prisoners of war, since by the act of their Congress all persons within these ages are enrolled in the army, and constitute a portion of it. Our armies, therefore, in taking all articles capable of being used for military purposes, are simply taking what the Southern Government has declared to belong to it for war purposes.

The next question relates to the political power of the conquered States. This political power is there divided between a general government for the whole Confederacy, and a State government clothed with certain political powers; the State government is as much a political power as the general government. This is an important distinction, to lose sight of which would lead to inextricable confusion and endless contradictions.

The political power of a conquered people is transferred to the conqueror. Marshall, C.J. (*United States v. Percheman*, 7 Pet. 86), says—"That on the conquest of enemy's territory the people change their allegiance, and their relation to their ancient sovereign is dissolved." Vattel, 389, § 201, lays down the law that the conqueror has the right to retain the sovereignty of the conquered State, and he also acquires the rights of the sovereign whom he has dispossessed. The same doctrine is asserted by Daniel, J., in *Leitensdorfer v. Webb*, 20 How. 177. He says, "In the case of *The United States v. Percheman*, 7 Pet. 86, 87, this Court has said, it may not be unworthy of remark, that it is very unusual, even in cases of conquest, for the conqueror to do more than to displace the sovereign and assume dominion over the country. The people change their allegiance, and their relations to their sovereign are dissolved."

Vide also *Fleming v. Page*, 9 How. 614; *Cross v. Harrison*, 14 id. 164.

According to these authorities, whenever our army overruns and occupies any one of the revolted States, the political power of the State passes to the United States as the conquering power; it is not a part, it is the whole of the political power which is divested from the one and vested in the other. The political power of the Confederate States is divided, as in the United States, between the Confederate Government and the State governments. We may conquer a state without conquering the Confederate Government; we have conquered Tennessee, Louisiana, and Arkansas, States of the so-called Confederacy. As the State governments constitute a portion of the political power of the Confederate States, the whole political power of each of these States passes to the government of the United States; the Confederate and State governments are both superseded by the Federal authority, and the whole executive, legislative, and judicial power of the State thus conquered and occupied by our military forces, becomes vested in the United States as the conquering power. Unless this is the case, then, the law of nations is not carried out, since the State political power would be left intact, and the proper officers could go on in the enacting of laws and the administration of justice. A nation, by dividing up its political power between local and central governments, would escape the consequences which by the law of nations are attached to the act of conquest. Whenever one of these States becomes conquered and occupied by our military power, all political power within it falls to the ground, ceases to act, and the only governing power existing therein is that of the conqueror. Whatever political power the Confederate Government exercised within the State, and the political power vested in the State Government, the whole, constituting the political power of that State, becomes necessarily transferred to the conquering power, the government of the United States. If England were to conquer the State of Maine, would she leave the State Government in action? She might do so, but the question here presented is, would she be bound to do so? If she was so bound, she would have a hostile government acting within her own territory, and in opposition to her own interests and authority. This would be simply absurd.

But it may be argued that when the United States reconquer these States, now held adversely by the "rebellion," the Federal Government is only re-invested with its original rights under the Constitution. This is true to a certain extent, to the full extent of the rights and power of the Central Government within a State of the Union. It is invested with the right of erecting forts, establishing custom-houses, and collecting duties, and of re-establishing her district and circuit courts; but what becomes of the political power vested in the States? This does not belong to the United States under the Constitution, and hence the Union is not by re-conquest re-invested with this political power, since it never was vested in the Federal Government. If, then, the political power of the State is not by the laws of war vested in the Federal Government, it must remain with the people of the State, where the Constitution of the United States leaves it; and if left to the people of the State, then it is left in the hands of the whole people, according to the provisions of the State Constitution; and the majority of the people, through their constitutional organs, must continue to exercise this power. But this majority is made up of enemies, and hence such a view of the law would leave the political power of these States, even after conquest, in the hands of the conquered enemy. The notion some have suggested, that the political power of the State reverts to the loyal part of the people, is not only absurd, but impracticable. Who is to decide who is and who is not loyal? Is there any means afforded by a State Constitution, for a minority of the people of a State to carry on the functions of government? Where is the law to be found justifying any such result? It is not found in the laws of war, and surely it cannot be found written either in the Constitution of the United States, or of any State. If, on the other hand, these powers of government are, by the laws of war, vested in the United States, then the States continue to exist as States, with all their legal divisions into counties, townships, and parishes. Such would be the condition of things if a State were conquered by a foreign enemy, and hence must be now, since the same law, we have seen, is applicable in the two cases.

It is said that these acts of secession are illegal, and

therefore void, and that a void act can have no effect whatever. This may be true when speaking *de jure*, but it is not true in fact. "These States did rebel as States," says Grier, J., in the Prize Cases. The fact we know to be so, the Legislatures of the several States having, by an act of legislation, dissolved their connection with the Federal States, and formed a new connection with the so-called Confederate States. In all this the people acted in their social and corporate capacity—acted as States, and not as individuals. The fact, then, is beyond dispute, whatever may be the theory, that these States have thrown off their allegiance to the Federal Government, and formed new political relations inconsistent with subjection to the Federal authority. As States they are carrying on this war, or are aiding in doing it. If we compare this public corporation called a State with private corporations, we may, by analogy, learn that a corporation may lose its franchise by the illegal acts of a majority of its members. The rights of the innocent are in such a case sacrificed; forfeited by the action of the majority. What is true of a private corporation is equally true of a public corporation; all the members are equally involved in the consequences of the illegal acts of the majority. "Every man," says Kent (1 Kent's Com. 55), "is in judgment of law a party to the acts of his own Government. Government is the representative of the will of all the people, and acts for the whole society. This is the theory in all governments." Vat. 321, § 70. By the law of nations, here is a government *de facto*, representing the people of a State, and that *de facto* government is working all the power of the State in aid of the revolt, and for this act all the people are equally responsible, whether they approve or disapprove of it.

The people are by our constitution clothed with the power of self-government; it is their franchise. If this franchise, this right of governing, belonged to a single person, called a prince or duke, and he had rebelled against his suzerain, can there be any doubt that he would have forfeited to his superior his franchise, his right of government, by this act of disloyalty, when conquered by his suzerain? History is full of such forfeitures. The people here stand in the place of the duke, and shall they not also forfeit their franchise, their right to govern themselves by a like act of disloyalty and rebellion? It would be strange if such were not the law.

We may look at the question in still another light. The Court, in the prize cases cited above, say that "the question is to be regarded as though the rebel States were overrun by a foreign enemy." Let us suppose a state overrun by France, a State government organized under her protection, and that then we reconquered the State; would we not put down this State government as well as drive out the authority of France? Would we leave standing a government filled with the creatures of France? And if the people were disloyal enough to wish to keep up such a government, could we allow them to do it? Now that is just the condition of the revolted States; they wish to keep up their disloyal governments, and can we permit it? Where can the law be found which compels us to do it?

In every aspect in which we can view this question, we are conducted to the same conclusion. The conquest of a revolted state puts an end to its State government; the State government, *de facto*, ceases to exist; the people of the State have no State government; in such a contingency who has the right to step in and govern this people and State? The law of nations says that to the conquering State is transferred this political power, and to her is intrusted the right of government once vested in this conquered people.

We thus hold it for settled law that a State may lose its right to self-government by a corporate act of disloyalty, as well as an individual his property and life by a personal act of treason. On the conquest, then, of one of these States, the right to govern it is vested in the Federal Government.

8. The next question presented is, what can the Federal Government do with these States, thus left without a government of their own? This question is really answered by the authorities already cited. If the political power of the State is vested in the United States, then the Federal Government must make and execute the law of the State, and provide for the administration of justice within it. The Federal Government possesses in this respect all the powers which the State government possessed in this respect.

This question has been twice presented to the United States' Supreme Court, and decided. The conquest of California and New Mexico by our armies in the late war with

Mexico gave the occasion, and the court was called to decide upon the power of the Federal Government, the President, and Congress over territory conquered by our arms.

The first case was that of *Cross v. Harrison*, 16 How. 164. This related to the proceedings in California, and involved the legality of those laws passed for the collection of duties on importations. The Court held, Wayne, J., delivering the opinion, "that the formation under the orders of the president of a military, and afterwards of a civil government in California, when it was done, was the lawful exercise of a belligerent right over a conquered territory, and that it was rightfully continued after peace was made with Mexico, until congress legislated otherwise, under its constitutional power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States."

The next case is that of *Leitensdorfer v. Webb*, 20 How. 176. In this case it was held, Daniel, J., delivering the opinion, that "the executive authority of the United States properly established a provisional government in New Mexico, which ordained laws and erected a judicial system; all of which laws continued in force after the termination of the war, and until modified by the direct legislation of Congress, or by the territorial government established by its authority."

These cases settle affirmatively four propositions—1. The right of the president, as commander of the army and navy of the United States, to establish a military government over territory conquered by our arms. 2. The right of the President to supersede this military government by a civil one organized under his permission or order. 3. That this provisional government will continue after the termination of the war, and until Congress shall by law provide other governments for this conquered territory. 4. The absolute power of Congress over this provisional government to abolish, supersede, and continue the same.

The power of the President in such a case, says Taney, C.J., (9 Id. 615), is simply that of a military commander prosecuting a war waged against a public enemy by the authority of the government; what he did in this respect is a measure of hostility, and a part of the military operations in Mexico; it was a mode of exacting contributions from the enemy to support our army and cripple the enemy. "The government of which Col. Mason was the executive," says Wayne, J. (16 How. 193), "had its origin in the lawful exercise of a belligerent right over conquered territory. It had been instituted during the war by the command of the President of the United States. It was the government when the territory was ceded as a conquest, and it did not cease as a matter of course, or as a necessary consequence of the restoration of peace. The President might have dissolved it by withdrawing the army and navy officers who administered it, but he did not do so; Congress could have put an end to it, but that was not done." Here the law is distinctly stated that Congress can put an end to these military governments organized by the President as a war measure at any time it sees fit, nor did any one suggest the idea that the President could by any action of his extend the laws of the United States over this territory, or incorporate the same into the Union as one of the states thereof. "The territory had been ceded as a conquest," continues Wayne, J., "and was to be preserved and governed as such until the sovereignty to which it had passed had legislated for it. That sovereignty was the United States under the constitution, by which power had been given to Congress to dispose of and make all needful rules and regulations respecting the territory and other property of the United States, with power also to admit new states into this Union." "The right to govern may be," say the court, "the natural consequences of the right to acquire territory." 1 Pet. 542, 543. These citations sufficiently show that the powers of the President in creating such governments are simply measures of war, and they can be created for no other purpose; Congress alone has the authority to extend the law of the United States over such territory and create for it permanent governments, whether territorial or State.

As the revolted States are by the law of nations to be regarded *de facto* as foreign enemies in the prosecution of this civil war, whatever President Polk could do in the conquered States of California and New Mexico, President Lincoln can rightly do within any one of these States, if, and when it shall be conquered by our arms; since the President, as military commander-in-chief, can rightfully establish either

a military or civil government within any State when so conquered; but these governments, whether military or civil, are merely provisional, are merely war-measures, and can, therefore, have no other effect over the condition of the States than merely to govern them as conquered territory; Congress alone can convert this provisional government into a permanent one, and declare what shall be the political relation of these conquered States to the Federal Government.
(To be continued.)

LAW STUDENTS' JOURNAL.

LAW STUDENTS' DEBATING SOCIETY.

At the meeting of this society, on Tuesday, the 21st inst., Mr. Addison in the chair, the following question was discussed—viz., "A. directs B. to sell certain goods, and to give the profits to C. A. then dies, bequeathing by his will all his property to D., whom he appoints sole executor. B. afterwards, but before he hears of A.'s death, sells the goods in market overt, and pays the money to C. Has D. any remedy against B. or C.?" *Smout v. Ilberry*, 10 M. & W. 1; *Holland v. Russell*, 11 W. R. 757."

Mr. Widdows opened the question in the affirmative, in which way the society decided it.

EXAMINATION FOR CALL TO THE BAR.

Trinity Term, 1865.

Each student proposing to submit himself for examination will be required to enter his name at the treasurer's office of the Inn of Court to which he belongs, on or before Monday, the 15th day of May next; and to state in writing whether his object in offering himself for examination is to compete for a studentship or other honourable distinction, or whether he is merely desirous of obtaining a certificate preliminary to a call to the bar.

The examination will be held on Monday, Tuesday, and Wednesday, the 22nd, 23rd, and 24th days of May next, in the hall of Lincoln's-inn; the doors will be closed ten minutes after the time appointed for the commencement of the examination.

The examination by printed questions will be conducted in the following order:—

Monday—9.30 A.M., Constitutional Law and Legal History; 1.30 P.M., Equity. Tuesday—9.30 A.M., Common Law; 1.30 P.M., the Law of Real Property, &c. Wednesday—9.30 A.M., Jurisprudence and the Civil Law; 1.30 P.M., questions bearing upon all the foregoing subjects.

The oral examination will be conducted in the same order, during the same hours, and on the same subjects, except that on Wednesday afternoon there will be no oral examination.

The Reader on Constitutional Law and Legal History will expect the candidates for honours to be well acquainted with Hallam's Middle Ages, chapter 8, part iii.; the Reign of Richard II.; Hallam's Constitutional History, the Reigns of Henry VII. to Anne; the State Trials, from the accession of Elizabeth to the year 1760; the Law of Treason and the Law of Libel.

All candidates will be required to know the chief events in English history, from the Conquest to the year 1796; to have an accurate knowledge of the reigns of the Stuart kings, of the trials of Vane, Sidney, Russell, College, Mrs. Gaunt, and Lady Lisle; to be thoroughly acquainted with the provisions of Magna Charta, the Bill of Rights, the Act of Settlement, the Habeas Corpus Acts, and the Toleration Act.

The Reader on Equity proposes to examine in the following books:—

For all candidates.—1. Haynes's Outlines of Equity; Smith's Manual; Hunter's Suit in Equity, part i.

For honours.—2. White and Tudor's Leading Cases, vol. 1; 22 & 23 Vict. c. 35; 23 & 24 Vict. c. 38; 23 & 24 Vict. c. 145; 25 & 26 Vict. c. 42; the General Orders of the Court of Chancery, 1st and 5th February, 1861; Mitford on Pleadings, Introduction, chap. 1, secs. 1 and 2; chap. 1, sec. 3 (the first six pages); chap. 2, sec. 1; chap. 2, sec. 2, part 1 (the first three pages); chap. 2, sec. 2, part 2 (the first two pages); chap. 2, sec. 2, part 3; chap. 3.

The Reader on the Law of Real Property, &c., proposes to examine in the following books and subjects:—

For all candidates.—1. Joshua Williams on Real Property,

6th ed. 2. Josiah Wm. Smith on Real and Personal Property, 3rd ed., pp. 339-357, 723-748. 3. *Morley v. Bird*, 3 Ves. 629, and the notes to that case in Tudor's Leading Cases in Conveyancing.

For honours.—4. *Viner v. Francis*, 2 Cox, 190; *Wild's case*, 6 Co. 16b, and the notes to those cases in Tudor's Leading Cases in Conveyancing; *Hayes & Jarman's Concise Wills*, 6th ed., by Eastwood, pp. 210-214. 5. *Sanders on Uses*, 5th ed., by Sanders & Warner, chap. 2, pp. 83-276.

The Reader on Jurisprudence, the Civil Law, and International Law, proposes to examine in the following books and subjects:—

For all candidates.—1. Justinian's Institutes, book iii., tit. 1.—xxiii., with the notes of Ortolan or Sanders. 2. Wheaton's Elements of International Law (ed. 1863), part iv., c. 3; Rights of War as to Neutrals, art. 19-32, pp. 736-858. 3. Maine's Ancient Law, chap. 7, p. 215.

For honours.—4. Justiniana—Novella, cxviii., cxvii. 5. Mackeldeii—Systema Juris Romani hodie Usitati—Pars Specialis. Lib. iv., sect. 2, cap. 1; De Successione ab Intestato, § 615-622. Lib. ii., sect. 2, cap. 1, § 353-442. 6. Code Napoleon. Livre 3, tit. 1, art. 718-814.

The Reader on Common Law proposes to examine in the following books and subjects:—

For all candidates.—1. The Ordinary Steps and Course of Pleading in an Action. 2. Broom's Commentaries (3rd ed.), book i., chap. 3.—"Nature of Rights enforceable by Action." Book ii., chap. 1.—"Of Contracts Generally." Book iii., chap. 1.—"Of Torts Generally." 3. Smith on Contracts (last ed.). Lectures 1-5 inclusive. 4. The Criminal Law Consolidation and Amendment Acts (by Graves), so far as they relate to the under-mentioned offences:—murder and manslaughter, simple larceny, embezzlement, and false pretences.

For honours.—5. Story on Bailments (last ed.), chaps. 1 and 2, and chap. 6, art. 8 (so far as it concerns land carriers), with which should be read the Carrier's Act (2 Geo. 4, and 1 Will. 4, c. 68). 6. The following cases:—*Backhouse v. Bonomi*, 9 Ho. of Lds. Cas. 503; *Chasemore v. Richards*, 7 Id. 349; *Hooper v. Lane*, 6 Id. 443; and *Emmens v. Elderton*, 4 Id. 624. 7. Smith's Mercantile Law (last ed.). Book i., chaps. 4, 5.—"Of Corporations, and Principal and Agent." 8. Taylor on Evidence (4th ed.) Book I., chap. 5.—"Presumptive Evidence."

TRINITY EDUCATIONAL TERM, 1865.

Prospectus of the lectures to be delivered during the ensuing Educational Term, by the several Readers appointed by the Inns of Court:—

CONSTITUTIONAL LAW AND LEGAL HISTORY.

The Reader, after dwelling on the reign of Elizabeth, will trace the History of our Constitution, from the reign of Charles the First to the reign of Anne.

He will illustrate the history of each reign by references to the statutes, the State Trials, the Reports, and the Debates in Parliament.

The books to which he will usually refer are the same as those enumerated in the prospectus of lectures for Hilary Term."

In his Private Classes he will pursue the same plan from the reign of Mary downwards, and, if time allows, will return to the earlier period of our history.

EQUITY.

The Reader proposes to deliver two courses of public lectures (there being six lectures in each course) on the following subjects:—

An Elementary Course.

I.—On the Relief afforded in Equity against the consequences of Mistake (continued).

II.—On the Jurisdiction of the Court of Chancery in Matters of Account.

III.—On Equitable Set-off and the Appropriation of Payments.

An Advanced Course.

I.—On the Equitable Doctrine of Election (continued).

II.—On Contracts of Suretyship, and the Equitable Rights to which they give rise.

In the Elementary Private Class, the subjects discussed will be—The Rules for determining the Priority of Charges

on Real and Personal Property—The Law of Partnership as modified by Courts of Equity.

In the Advanced Private Class, the Lectures will comprehend—The Administration of Real Assets, and the Principles of Equity Pleading (continued)—Relief on the Ground of Actual Fraud.

REAL PROPERTY LAW.

The Reader proposes to deliver two similar courses of public lectures on the following subjects:—

Elementary Course.

- I.—The Law of Mortmain and Charitable Uses, in continuation and conclusion of the Last Term's Lectures on this Subject.
- II.—The Law relating to Land of Copyhold Tenure.

Advanced Course.

- I.—The Law of Prescription.
- II.—The Law of Fire Insurance.

In his Private Classes the Reader will continue the Courses respectively already announced.*

CIVIL LAW, &c.

The Reader proposes to deliver six public lectures upon the following subjects:—

- I.—The Historical Development of the Roman Law of Contract.
- II.—The Comparative Jurisprudence of Rome, England, and France, with respect to the Contract of Sale.
- III.—The Roman Law relating to the Warranty of the Vendor against Eviction, and also against Latent Defects in the Property Sold.
- IV.—The Rules of Modern International Law relating to Neutral Trade with an Enemy, and Contraband of War.

In his private class the Reader will continue the course of Roman Civil Law upon Contracts, already* mentioned, and also to discuss points of International Law as to the Commencement of War and its immediate effects, and Rights of War as between Enemies, using the Treatise of Wheaton as the Text-Book, and referring to the works of the principal modern Jurists, the decisions of the Admiralty and Prize Courts of England and America, the Debates in Parliament, and State Papers relating to the cases under discussion.

COMMON LAW.

The Reader proposes to deliver two courses, of six public lectures each, on the following subjects:—

Elementary Course.

- I.—A Comparison will be instituted between the Ingredients in a Crime and those in a Cause of Action on Contract or on Tort.
- II.—The Origin and Jurisdiction of our Criminal Courts will be investigated.
- III.—Criminal Procedure will be exemplified by reference to—
 - (1) The Proceedings before a Magistrate on a Criminal Charge.
 - (2) The Trial at Quarter Sessions, or at the Assizes, of a Person charged with an Indictable Offence.

In treating the above subjects, Rules of Evidence will especially be noticed.

Advanced Course.

- I.—The Nature of and Ingredients in an Indictable Offence.
- II.—The Structure and Office of an Indictment, with a Specification of the Pleas available in Criminal Cases.
- III.—Ordinary Offences against the Person or Property.
- IV.—Points connected with the Law of Evidence in relation to Criminal Proceedings.

With his private class the Reader will examine in detail the foregoing subjects, referring to the undermentioned books:—Elementary Class: Broom's Commentaries (last Ed.); Paley on Convictions; Archbold's Criminal Pleading, by Welsby. Advanced Class: The Criminal Law Consolidation and Amendment Acts (Edit. by Greaves); Roscoe's Digest of Evidence in Criminal Cases; Taylor on Evidence (last Edit.)

Table of the days and hours for the delivery of the Public Lectures by the Readers appointed by the Inns of Court, and for the attendance of the Private Classes.

READERS—INN OF COURT.	DAYS AND HOURS OF MEETING.	
	Public Lectures.	Private Lectures.
Constitutional Law and Legal History, Lincoln's Inn Hall, 11th April.	Wednesday, 2 p.m. 19th April.	Tuesday, Thursday, & Saturday, 10 a.m. First Class meets on the 20th April.
Private Classes, Benchers' Reading Room.	Thursday, Elementary Lecture at 2 p.m. Advanced Lecture, at 3 p.m. First Lecture, 20th April.	Monday, Tuesday, & Friday, 1 p.m. & 4 p.m. First Class meets on the 21st April.
Equity, Lincoln's Inn Hall, 11th April.	Thursday, Elementary Lecture at 2 p.m. Advanced Lecture, at 3 p.m. First Lecture, 20th April.	Monday, Tuesday, & Friday, 1 p.m. & 4 p.m. First Class meets on the 21st April.
Private Classes, Benchers' Reading Room.	Thursday, Elementary Lecture at 2 p.m. Advanced Lecture, at 3 p.m. First Lecture, 20th April.	Monday, Tuesday, & Friday, 1 p.m. & 4 p.m. First Class meets on the 21st April.
Real Property, &c. Gray's Inn Hall, 11th April.	Thursday, Elementary Lecture at 2 p.m. Advanced Lecture, at 3 p.m. First Lecture, 20th April.	Monday, Tuesday, & Friday, 1 p.m. & 4 p.m. First Class meets on the 21st April.
Private Classes, North Library.	Thursday, Elementary Lecture at 2 p.m. Advanced Lecture, at 3 p.m. First Lecture, 20th April.	Monday, Tuesday, & Friday, 1 p.m. & 4 p.m. First Class meets on the 21st April.
Jurisprudence and Civil Law, Middle Temple Hall, 11th April.	Friday, 2 p.m. First Lecture, 21st April.	Tuesday, Thursday, & Saturday, 1 p.m. & 4 p.m. First Class meets on the 22nd April.
Private Classes, Middle Temple Library.	Friday, 2 p.m. First Lecture, 21st April.	Tuesday, Thursday, & Saturday, 1 p.m. & 4 p.m. First Class meets on the 22nd April.
Common Law, Inner Temple Hall, 11th April.	Monday, Elementary Lecture at 2 p.m. Advanced Lecture at 3 p.m. First Lecture, 24th April.	Tuesday, Thursday, & Saturday, 1 p.m. & 4 p.m. First Class meets on the 25th April.
Private Classes, Inner Temple Hall.	Monday, Elementary Lecture at 2 p.m. Advanced Lecture at 3 p.m. First Lecture, 24th April.	Tuesday, Thursday, & Saturday, 1 p.m. & 4 p.m. First Class meets on the 25th April.

NOTES.—The educational term commences on the 15th April, and ends on the 31st July. The lectures and classes will be suspended after Thursday, the 11th May, and be resumed at the appointed days and hours on and after Thursday, the 1st June next.

The first public lecture of this course will be delivered by the reader on Constitutional Law and Legal History, on Wednesday, the 19th April, at 2 p.m.

The first meeting of each private class will take place on the usual morning or evening of meeting after the first public lecture on the same subject.

Students who have been unable to attend a lecture or class of either of the readers, and desire dispensation as a qualification for call to the bar, should make application, with an explanation of the cause of such absence, in writing, to the reader during the course, or immediately after the delivery of the last public lecture of the course; and the reader's report thereon, together with the application, will be forwarded to the council of legal education, who alone have the power of granting dispensation.

The council have resolved that in no case shall students be allowed to change from the elementary to the advanced courses of lectures and classes, or *vice versa*, while qualifying for call to the bar, or for the examinations on the subjects of lectures.

COURT PAPERS.

COURT OF CHANCERY.

SITTINGS—EASTER TERM, 1865.

LORD CHANCELLOR.		MASTER OF THE ROLLS.	
Lincoln's Inn.		Chancery-lane.	
Wed... April 19	{ Apl. mtns. & apps. in bkcy.	Thursday .. 4.	{ App. mtns. & apps.
Thursday .. 20.	{ Ptns. & appeals.	Friday	{ Appeals.
Friday	{ Appeals.	Saturday .. 6.	{ Apps. in bkcy. & apps.
Saturday .. 22.	{ Apps. in bkcy. & apps.	Monday 8.	{ Appeals.
Monday	{ Appeals.	Tuesday ... 9.	{ Appeals.
Tuesday	{ Apps. in bkcy. & apps.	Wednesday 10.	{ Ptns., apps. in bkcy., & apps.
Wednesday .. 26.	{ Apps. in bkcy. & apps.	Thursday .. 11.	{ App. mtns. & apps.
Thursday .. 27.	{ App. mtns. & apps.	N.B.—Such days as his Lordship shall be engaged in the House of Lords are excepted.	
Friday	{ Appeals.	MASTER OF THE ROLLS.	
Saturday .. 29.	{ Apps. in bkcy. & apps.	Chancery-lane.	
Monday, May 1.	{ Appeals.	Wed... April 19.	{ Motions.
Tuesday 2.	{ Apps. in bkcy. & apps.	Thursday .. 20.	{ General paper.
Wednesday 3.	{ Apps. in bkcy. & apps.	Friday	{ Ptns., sht. caus., adj. sums, & general paper.

Monday 24 }
 Tuesday 25 } General paper.
 Wednesday .. 26 }
 Thursday .. 27. } Mtns. & gen. pa.
 Friday 28. } General paper.
 Saturday .. 29 } Ptns., sht. caus.,
 adj. sums., and
 general paper.

Monday, May 1 }
 Tuesday 2 } General paper.
 Wednesday .. 3 }
 Thursday .. 4. } Mtns. & gen. pa.
 Friday 5. } General paper.
 Saturday .. 6 } Ptns., sht. caus.,
 adj. sums., and
 general paper.

Monday 8 }
 Tuesday 9 } General paper.
 Wednesday .. 10 }
 Thursday .. 11. } Mtns. & gen. pa.
 N.B.—Unopposed petitions must be presented and copies left with the Secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard; and any causes intended to be heard as short causes must be so marked at least one clear day before the same can be put in the paper to be so heard.

LORDS JUSTICES.

Lincoln's Inn.
 Wed... April 19. } Appeal motions.
 Thursday .. 20. } App. mtns. & apps.
 Friday 21 } Ptns. in luncy,
 app. ptns., and
 apps.
 Saturday .. 22 } Appeals.
 Monday 24 }
 Tuesday 25 } Apps from the Co.
 Paltm. of Lancstr.
 & apps.
 Wednesday .. 26 } Appeals.
 Thursday .. 27. } App. mtns. & apps.
 Ptns. in luncy,
 Friday 28 } app. ptns., and
 apps.
 Saturday .. 29 } Appeals.
 Monday, May 1 }
 Tuesday 2 }
 Wednesday .. 3 }
 Thursday .. 4. } App. mtns. & apps.
 Ptns. in luncy,
 Friday 5 } app. ptns., and
 apps.

Saturday 6 }
 Monday 8 } Appeals.
 Tuesday 9 }
 Wednesday .. 10 }
 Thursday .. 11. } App. mtns. & apps.
 Notice.—The days (if any) on which the Lords Justices shall be engaged in the Full Court, or at the Judicial Committee of the Privy Council, are excepted.

V. C. Sir R. T. KINDERSLEY.

Lincoln's Inn.
 Wed... April 19. } Motions.
 Thursday .. 20. } General paper.
 Friday 21 } Ptns., adj. sums.,
 & general paper.
 Saturday .. 22 } Sht. causes, adj.
 sums., & gen. pa.
 Monday 24 }
 Tuesday 25 } General paper.
 Wednesday .. 26 }
 Thursday .. 27. } Mtns., adj. sums.,
 & gen. pa.
 Friday 28 } Ptns., adj. sums.,
 & general paper.
 Saturday .. 29 } Sht. causes, adj.
 sums., & gen. pa.

QUEEN'S BENCH.

Sittings at Nisi Prius in Middlesex and London, before the Right Hon. Sir ALEXANDER EDMUND COCKBURN, Bart., Lord Chief Justice of her Majesty's Court of Queen's Bench, in and after Hilary Term, 1865.

IN TERM.

Middlesex.

1st sitting, Friday, April 21 | 3rd sitting, Wdsdy., May 3
 2nd „ Wednesday „ 26
 There will not be any sitting during Term in London.

AFTER TERM.

Middlesex.

Friday May 12 | Tuesday May 16
 The Court will sit at 10 o'clock every day.
 The causes in the list for each of the above sitting days

Monday, May 1 }
 Tuesday 2 } General paper.
 Wednesday .. 3 }
 Thursday .. 4 } Mtns., adj. sums.,
 & gen. pa.
 Friday 5 } Ptns., adj. sums.,
 & general paper.
 Saturday .. 6 } Sht. causes, adj.
 sums., & gen. pa.
 Monday 8 }
 Tuesday 9 } General paper.
 Wednesday .. 10 }
 Thursday .. 11 } Mtns., adj. sums.,
 & gen. pa.

N.B.—Any causes intended to be heard as short causes must be so marked at least one clear day before the same can be put in the paper to be so heard.

V. C. Sir JOHN STUART.

Lincoln's Inn.

Wed... April 19. } No Sitting.
 Thursday .. 20. } Mtns. and causes.
 Friday 21. } Ptns. & causes.
 Saturday .. 22. } Sht. causes & caus.
 Monday 24 }
 Tuesday 25 } Causes.
 Wednesday .. 26 }
 Thursday .. 27. } Mtns. and causes.
 Friday 28. } Petitions & causes.
 Saturday .. 29. } Sht. causes & caus.
 Monday, May 1 }
 Tuesday 2 } Causes.
 Wednesday .. 3 }
 Thursday .. 4. } Mtns. & causes.
 Friday 5. } Petitions & causes.
 Saturday .. 6. } Sht. causes & caus.
 Monday 8 }
 Tuesday 9 } Causes.
 Wednesday .. 10 }
 Thursday .. 11. } Mtns. and causes.

N.B.—Any causes intended to be heard as short causes must be so marked at least one clear day before the same can be put in the paper to be so heard.

No cause, motion for decree, or further consideration, except by order of the Court, may be marked to stand over, if it shall be within 12 of the last cause or matter in the printed paper of the day for hearing.

V. C. Sir W. P. WOOD.

Lincoln's Inn.

Wed... April 19. } Motions.
 Thursday .. 20. } General paper.
 Friday 21 } Ptns., sht. caus.,
 & general paper.
 Saturday .. 22 }
 Monday 24 } General paper.
 Tuesday 25 }
 Wednesday .. 26 } Mtns. & gen. pa.
 Thursday .. 27. } General paper.
 Friday 28 } Ptns., sht. causes,
 & general paper.
 Saturday .. 29 }
 Monday, May 1 }
 Tuesday 2 } General paper.
 Wednesday .. 3 }
 Thursday .. 4. } Mtns. & gen. pa.
 Friday 5. } Ptns., sht. caus.,
 & general paper.
 Saturday .. 6 }
 Monday 8 }
 Tuesday 9 } General paper.
 Wednesday .. 10 }
 Thursday .. 11. } Mtns. & gen. pa.

N.B.—Any causes intended to be heard as short causes must be so marked at least one clear day before the same can be put in the paper to be so heard.

in Term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

COMMON PLEAS.

Sittings at Nisi Prius in Middlesex and London, before the Right Hon. Sir WILLIAM ERLE, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, at Westminster, in and after Hilary Term, 1865.

IN TERM.

Middlesex.

Friday April 21 | Wednesday May 3
 Wednesday „ 26
 The Court will not sit in London during Term.

AFTER TERM.

Middlesex.

London.

Friday May 12 | Monday May 15
 The Court will sit during and after Term at 10 o'clock.
 The causes in the list for each of the above sitting days in Term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

EXCHEQUER OF PLEAS.

Sittings at Nisi Prius in Middlesex and London, before the Right Hon. Sir FREDERICK POLLOCK, Knt., Lord Chief Baron of her Majesty's Court of Exchequer, in and after Hilary Term, 1865.

IN TERM.

Middlesex.

1st sitting, Friday, April 21 | 3rd sitting, Wednesday May 3
 2nd „ Wednesday „ 26
 The Court will not sit in London during Term.

AFTER TERM.

Middlesex.

London.

Friday May 12 | Monday May 15
 The Court will sit during and after Term at 10 o'clock.
 The Court will sit in Middlesex, in Term, by adjournment from day to day, until the causes entered for the respective Middlesex sittings are disposed of.

THE IRISH PRESS AND THE BELFAST RIOTS.—A sensational application was made on Tuesday at the Belfast assizes, which, if it have no other effect, as is very probable, will, at all events, relieve the dull monotony of the trials by a lively episode. Mr. Butt, Q.C., who is counsel for some of the Roman Catholic prisoners, applied for an attachment against the registered proprietor of the *Belfast News-Letter*, in consequence of a leading article which appeared in the columns of our contemporary on Tuesday, commenting upon the alleged fact—which, if true, is certainly remarkable—that in the two trials for murder in which the juries disagreed, the majority, who were for convicting in the one case, where the prisoner was a Roman Catholic, were Protestants, and where the prisoner was a Protestant were Roman Catholics. Mr. Butt moved upon the ground that the article was calculated to prejudice the defence of the prisoners who are to be again put upon their trials. Baron Deasy made a conditional order that the proprietor should attend at the sitting of the Court this (Wednesday) morning. We shall not be surprised, however, to find that the order is mere *brutum fulmen*, the proprietor being at present out of his lordship's jurisdiction. If the doctrine of vicarious punishment were to be recognised in such a case, there would be, of course, no difficulty in obtaining a substitute for the absent gentleman. Will any voluntary martyr offer himself rather than disappoint the court?—*Dublin Express*.

ESTATE EXCHANGE REPORT.

AT THE GUILDHALL HOTEL.

March 15.—By Messrs. GARDNER & ELLIS.

Leasehold, the Nantango Mine, situate in the parish of Ulangwrig, in the county of Montgomery; term, 31 years from 1869, at a royalty of one-sixteenth—Sold for £500.

By Mr. MARSH.

Leasehold 5 houses, known as Lyndhurst-terrace, Lyndhurst-road, Peckham; producing £181 per annum—Sold for £1,570.
 Freehold house and shop, being No. 45, Marsham-street, Westminster; let at £45 per annum—Sold for £720.
 Leasehold residence and premises, being No. 139, Great Dover-street, Southwark, and a ground-rent of £10 per annum, secured upon No. 140 adjoining; term 61 years from 1820; ground-rent £20 per annum—Sold for £165.

Lease, 8 years unexpired, of the business premises, being No. 390, Strand, also 2 policies of assurance for £250, effected with the Star Life Assurance Society, on the life of a lady aged 63 years—Sold for £197 10s.

Life Interest of a lady, aged 54, and a moiety of the absolute reversion to £1,088 ss. 8d., 3 per Cent. Consols.—Sold for £440.

March 20.—Messrs. FULLER & HORSEY.

Freehold property, known as the Plough Tavern, Blackwall.—Sold for £6,000.

AT GARRAWAY'S.

March 16.—By Messrs. BROMLEY, SON, & KELDAY.

Leasehold, 4 houses, being Nos. 1 to 4, Green's-terrace, Lower-road, Rotherhithe; term, 99 years from 1849; ground-rent, £13 11s. per annum.—Sold for £1,360.

By Messrs. SPILMAN & SPENCE.

Leasehold house and premises, being No. 23a, Andover-road, Hornsey-road; term, 99 years from 1853; ground-rent £6 10s. per annum.—Sold for £295.

By Mr. W. PHILLIPS.

Leasehold, 2 houses, being Nos. 4 and 5, Richmond-villas, Shepherd's-bush; term 96 years from 1851; ground-rent £3 a house.—Sold for £555.

March 20.—By Messrs. WILKINSON & HORNE.

Absolute reversionary interest to £350 Reduced 3 per Cent. Annuities, expectant on the decease of a lady aged 78 years.—Sold for £520.

By Mr. WARD.

Leasehold residence, being No. 13, Wilmot-street, Brunswick-square; let on lease at £45 per annum; term, 96 years from 1803; ground-rent, £12 per annum.—Sold for £390.

March 21.—By Messrs. CLEMMANS & SON.

Freehold business premises, being No. 71, High-street, Shoreditch.—Sold for £2,250.

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

BOWLEY—On March 15, at Ryde, the wife of E. S. Bowley, Esq., Barrister, of a son.

CORBY—On March 18, the wife of Edward J. Corby, Esq., Chancery Registrar's Office, of a daughter.

BOWSELL—On Dec. 28, 1864, at Arundale, New South Wales, the wife of E. E. Rowsell, Esq., Solicitor, of a son.

STONE—On March 18, the wife of Henry Stone, Esq., Inner Temple, Barrister, of a son.

MARRIAGES.

ADCOCK—BAKER—On Feb. 27, at Great Chishill, Essex, E. H. Adcock, Esq., solicitor, of Cambridge, to Harriette Fannie, daughter of Thomas Baker, Esq., Lime Tree House, Great Chishill.

BAGOT—WAIRE—On Feb. 18, at the Cathedral, George Town, Demerara, George Bagot, of Demerara and Seaford near Liverpool, to Charlotte S., daughter of W. H. Ware, Esq., Stipendiary Magistrate, British Guiana.

CAPEMAN—SMITH—On March 15, at the parish church of St. Giles, Cambridge, J. C. Capeman, of Loddon, Norfolk, Solicitor, to Rose, daughter of H. Smith, of Cambridge.

IVENS—GEORGE—On March 16, at St. Martins, Worcester, J. F. Ivens, Esq., Solicitor, Leamington, to Christianna Sarah, daughter of the late Robert George, Esq., of Nobury.

DEATHS.

ALSTON—On Jan. 31, at Victoria, Vancouver Island, Elizabeth C., wife of E. G. Alston, Esq., Barrister.

CHESTER—On March 14, at Staple's-inn, E. Chester, Esq., Solicitor.

COCKING—On Feb. 21, at Belmont, St. John's, Jamaica, Anna Maria, wife of James R. Cocking, Esq., eldest son of the late R. Cocking, Stipendiary Justice, Jamaica, aged 35.

JAMES—On March 10, J. W. Elizabeth, wife of E. L. James, Esq., Solicitor, Exmouth, Devon, aged 32.

HALLAM—On March 15, at 17, Burney-street, Greenwich, Solicitor, aged 80.

POWELL—On Dec. 31, at Sydney, New South Wales, E. Powell, Esq., of Inner Temple, London, and Sydney, Barrister, aged 38.

ROBINS—On March 19, at his residence, 14, Albert-road, Regent's-park, after only thirty six hours illness, Edmund Robins, Esq., in the 63rd year of his age.

WATERWORTH—On March 20, at Heighley, Yorkshire, Thomas Waterworth, Esq., Solicitor, aged 53.

UNCLAIMED STOCK IN THE BANK OF ENGLAND.

The amount of Stock heretofore standing in the following Names will be transferred to the Parties claiming the same, unless other Claimants appear within Three Months:—

AMBOISE, ROGER MARIE, Count de Croismare, Stonehouse, Shropshire, and JOHN PHILPOT, Montague-street, Russell-square, Esq. £1,478 ss. 5d. Reduced £3 per Cent. Annuities.—Claimed by said John Philpot.

BAIMEY, DAVID, Bonaventure, Newfoundland, Planter, deceased. £103 9s. 10d. New £3 per Cent. Annuities.—Claimed by Thomas Holdsworth Brooking, the administrator.

CARVICK, CHARLOTTE AMELIA HARRIS, Worthing, Sussex, Widow. £1,463 12s. Reduced £3 per Cent. Annuities.—Claimed by said C. A. H. Carvick.

CORNE, BERNARD, Walnut-tree-walk, Lambeth, Esq., deceased. £75 Reduced 3 per Cent. Annuities.—Claimed by Anne F. Cobbe, Spinster, J. H. Eccles, and J. N. Bennett, Executors of said B. Corne.

FALKNER, CHARLES, Dippenhall, near Farnham, Farmer, CHARLES FALKNER, jun., of same place, Esq., GEORGE FALKNER, Walnut-tree-walk, Lambeth, Esq., WILLIAM FALKNER, Hampton, Middlesex, Esq. £31 11s. 8d. Consolidated 3 per Cent. Annuities.—Claimed by Charles Falkner and Charles Falkner, jun.

THIBELTON, CHARLES ALFRED, and WILLIAM GRAY, both of York, Esqs. £37 ss. 8d. Consolidated 3 per Cent. Annuities.—Claimed by said C. A. Thibeltson and Wm. Gray.

WHITLEY, NATHAN, Guildford-street, Borough, Ironmonger, and CHRISTIAN WHITLEY, both deceased. £1,055 £3 ss. per Cent. Annuities.—Claimed by G. Whitley, the administrator.

WILLIAMS, WILLIAM, Half Moon-street, Bishopsgate, Plasterer, deceased. £30 New 3 per Cent. Annuities.—Claimed by Wm. Goodbody, the administrator.

LONDON GAZETTES.

Winding-up of Joint Stock Companies.

FRIDAY, March 17, 1865.

LIMITED IN CHANCERY.

Rolling Stock Company of Ireland (Limited).—Vice-Chancellor Wood has fixed March 28 at 12, at his chambers, New-sq, Lincoln's-inn, for the appointment of an official liquidator.

Alexandra Park Company (Limited).—The Master of the Rolls has, by an order dated March 13, appointed Wm Quilter, Moorgate-st, official liquidator.

Alexandra Park Company (Limited).—Creditors are required, on or before April 15, to send their names and addresses, and the particulars of their debts or claims, to Wm Quilter, Moorgate-st, Wednesday, May 10 at 12, is appointed for hearing and adjudicating upon the debts and claims.

Telegraphic News Association (Limited).—Petition for winding up, presented March 11, directed to be heard before the Master of the Rolls March 25, Hamber & Harrison, King's Arms-yd, solicitors for the petitioner.

Universal Mercantile Association (Limited).—Order to wind-up, made by Vice-Chancellor Kindersley, dated March 10. Cox, St Swithin's-lane, solicitor for the petitioner.

TUESDAY, March 21, 1865.

LIMITED IN CHANCERY.

General International Agency Company (Limited).—Creditors are required, on or before March 3, to send their names and addresses, and the particulars of their debts and claims, to Mr Fredk Whinney, Serle-st, Lincoln's-inn. May 30, at 2, is appointed for hearing and adjudicating upon the debts and claims. Fulbrook, Threadneedle-st, solicitor to the liquidator.

Isle of Wight Ferry Company (Limited).—Order to wind up, made by Vice-Chancellor Wood, March 11. Reep, Gresham House, Old Broad-st, solicitor for the petitioner.

Creditors under Estates in Chancery.

Last Day of Proof.

FRIDAY, March 17, 1865.

Montagu, Montagu, Bath, Captain H. M. Navy. April 1. Montagu v Lansdown, V.C. Wood.

Casher, John, Bore Regis, Dorset, Gent. April 15. Cashier v Cashier, M.R.

Harvey, Joseph, Peldon, Essex, Gent. April 15. Borrodell v Harvey, M.R.

Read, John, Goodman's-fields, Middx, Publican. April 13. Read v Seabourne, M.R.

Beazley, John, Old Ford-rd. April 10. Beazley v Aubrey, V.C. Wood.

TUESDAY, March 21, 1865.

Bishton, Wm, Dudley, Worcester, Carrier. April 20. Bishton v Bishton, M.R.

Brooks, Abram Jas, Southsea, Portsea, Southampton, Gent. April 19. Peacock v Peacock, V.C. Wood.

Hollins, John, Rotherhithe, Surrey, Builder. April 20. Deavin v Hollins, M.R.

Lister, Louisa Esther, Sunderland House, Surrey, Widow. April 11. Phillips v Lister, V.C. Wood.

Parsons, Jas, Brill, Bucks, Yeoman. April 21. Parsons v Parsons, V.C. Kindersley.

Creditors under 22 & 23 Vict. cap. 35.

Last Day of Claim.

FRIDAY, March 17, 1865.

Bamforth, Joseph, Leeds, York, Cooper. June 1. Snowden & Son, Leeds.

Botting, Charlotte, Tenterden, Kent, Widow. May 1. Mann & Mace, Tenterden.

Cogswell, Jas, Trowbridge, Wilts, Cloth Manufacturer. June 1. Rodway, Trowbridge.

Dowell, Stephen Brittan, Bristol, Clerk. April 10. Cooke & Sons, Bristol.

Faith, Hy, Cambridge heath-rd, Provision Merchant. May 1. Lewis & Watson, Pudding-lane.

Hughes, Wm, Finchley-rd, St John's-wood. May 31. Allen & Co, Queen-st, Cheapside.

Hunt, Sophia, Brighton, Widow. April 27. Schultz, Dyor's bldgs, Holborn.

Hunter, Robt, Sunderland, Cab Proprietor. May 13. H. B. & C. Wright, Sunderland.

Iredell, Lestock Wilson, Hastings, Gent. May 1. Lewis & Watson, Pudding-lane.

Male, John, Walsall, Stafford, Licensed Victualler. June 24. Wilkin-son, Walsall.

Mason, Wm Hayley, Chichester, Bookseller. May 1. Johnson & Raper, Chichester.

Ramsden, Charlotte, Inverness-rd, Bayswater. March 31. Lawrence & Co, Old Jewry-chambers.

Rushton, Olive, Blackburn, Lancaster, Widow. May 1. Pickop, Blackburn.

Stone, Wm, Enston-rd, Surgeon. May 1. Monckton & Monckton, Raymond's-bldgs, Gray's-inn.

TUESDAY, March 21, 1865.

Barber, John, Old-st, Corn Dealer. April 20. Mills, Brunswick-pl, City-rd.

Burder, Rev Hy Forster, Hatcham House, Deptford. May 4. Lambert & Co, John-st, Bedford-row.

Druce, Thos Chas, Baker-st, Portman-sq, Upholsterer. May 21. Walker & Tyford, Southampton-st, Bloomsbury.

Hall, Rev Chas, Terrington, York, Clerk. April 30. Walker & Langborne, Malton.

Harding, Sarah, Selwood-pl, Brompton, Spinster. April 27. Holt, John-st, Gray's-inn.

Hitt, Thos, Goswell-st.-rd, Gent. April 20. Mills, Brunswick-pl, City-rd.
Hume, Walter, Easton-road, Cabinet Maker. April 26. Davies & Co, Warwick-st, Regent-st.
Little, Wm Hunter, Abergavenny, Monmouth, Esq. May 2. Smith & Co, Warford-st, Trogmorton-st.
Mollwraith, Wm, Belgrave-rd, Pimlico, Builder. May 1. Evans, Lincoln's-inn-fields.
Margerison, Catherine, The Prince William Henry Public House, Blackfriars-rd. May 1. Stileman & Neate, Southampton-st, Bloomsbury-sq.
Minchin, Saml, Petersfield, Southampton, Builder. April 20. Mills, Brunswick pl, City-rd.
Porter, Adolphus, Robt, Notting-hill-sq, Jeweller. April 20. Abrahams, Sise-lane.
Pyle, Rev Saml, Topsham, Devon, Clerk. July 1. Gidley, Exeter.
Sanderson, Richd, Burdon, West Jesmond, Newcastle-on-Tyne, Northumberland, Esq. June 1. Palmer & Co, Bedford-row.
Shaw, John, Nottingham, Gent. June 24. Shilton, Nottingham, and Hawkrige & Cockayne, Nottingham.
Woods, John, White Lion-st, Pentonville, Gent. April 20. Mills, Brunswick-pl, City-rd.

Deeds registered pursuant to Bankruptcy Act, 1861.

FRIDAY, March 17, 1865.

Adams, John Joseph, Anerly, Surrey, Draper. March 9. Comp. Reg March 15.
Ahrens, Bernhard Anders, Old Fish-st, Merchant. Feb 21. Comp. Reg March 14.
Barnes, Fredk, St John-st, Clerkenwell, Hatter. Feb 15. Conv. Reg March 14.
Benzley, John, Holloway-rd, Holloway, Poulterer. March 13. Comp. Reg March 14.
Bentall, Wm Rufus, East Bergholt, Suffolk, Miller. Feb 25. Conv. Reg March 17.
Berks, Hy Alfred, Leighton-villas, Kentish-town, Commercial Traveller. March 8. Comp. Reg March 16.
Brisbane, Wm, Cardiff, Glamorgan, Travelling Draper. March 4. Conv. Reg March 17.
Calder, Robt Elson, Walbrook, Auctioneer. March 10. Arr. Reg March 16.
Chapman, Joseph, Colville, Leicester, Grocer. Feb 20. Conv. Reg March 17.
Clayton, Geo Alfred, & Geo Fisher, Kingston-upon-Hull, Joiners. Feb 20. Comp. Reg March 15.
Clifton, Wm, Leicester, Carpenter. Feb 16. Conv. Reg March 16.
Collins, Jas, Norwich, Bootmaker. March 4. Comp. Reg March 13.
Curel, Jas Fredk, Nowington Butts, Surrey, Gasfitter. March 13. Comp. Reg March 16.
Earl, Joseph, Westbourne-grove, Bayswater, Draper. Feb 17. Conv. Reg March 17.
Elliott, Benj, Sheffield, File Manufacturer. March 13. Comp. Reg March 14.
Fisher, Wm, jun, Macclesfield, Chester, Silk Throwster. March 7. Comp. Reg March 15.
Gledhill, Sidney, & Thos Lumb, Elland, York, Woollen Manufacturers. March 7. Conv. Reg March 18.
Goodman, Timothy, Warminster, Wilts, Attorney and Solicitor. Feb 15. Conv. Reg March 15.
Greedy, Jas, Gaythorn, Manch, Packing-case Maker. Feb 28. Comp. Reg March 16.
Haddon, Richd, Charlton-by-Newbottle, Northampton, Farmer. Feb 14. Conv. Reg March 13.
Hardy, John, Nottingham, Draper. Feb 24. Asst. Reg March 15.
Johnson, Wm, Groves, York, Railway Carpenter. Feb 15. Conv. Reg March 14.
Kendall, Jas, Hulme, Manch, Furniture Dealer. March 15. Conv. Reg March 16.
Kenney, Wm, Landport, Hants, Confectioner. March 13. Conv. Reg March 15.
Knock, Francis, Witney, Oxford, Superintendent of Police. Feb 21. Conv. Reg March 15.
Lennox, Hy, Nottingham, Plasterer. March 6. Conv. Reg March 15.
Lewis, Hy, Birm, Pasteboard Manufacturer. Feb 28. Comp. Reg March 11.
Lewis, John, Pembroke Dock, Pembroke. Feb 16. Grant. Reg March 15.
Lipschitz, Selig, Commercial-st, Whitechapel, Picture Dealer. Feb 18. Comp. Reg March 17.
Mann, Thos, West Ham, Essex, Builder. Feb 14. Comp. Reg March 16.
Marson, Hy, Lambeth-walk, Saddler. Feb 20. Comp. Reg March 17.
Messenger, Edmd, Lambeth-walk, Pork Butcher. Dec 30. Comp. Reg March 14.
Milner, Chas, Sunderland, Durham, Wine and Spirit Merchant. Feb 20. Comp. Reg March 17.
Mordue, Mary, Howdon, Northumberland, Grocer. Feb 18. Conv. Reg March 15.
Parkes, Saml, jun, Birm, Grocer. Feb 21. Comp. Reg March 15.
Penson, Francis, Homer-st, Lpool, Provision Dealer. Feb 21. Comp. Reg March 15.
Roan, Wm, Birm, Draper. Feb 13. Conv. Reg March 13.
Robinson, Eliza, Sandal Magna, Joiner. Feb 16. Conv. Reg March 16.
Russell, John, & Edwd Young, Bawtry, York, Fire Brick Manufacturers. Jan 4. Asst. Reg March 15.
Saurbrey, Peter, Lamb-st, Spitalfields, Baker. March 8. Asst. Reg March 14.
Seville, Thos, Cheltenham, Gloucester, Fly Proprietor. March 11. Comp. Reg March 14.
Sewell, John, Preston, Lancashire, Ship. Comp. Reg March 17.
Steffano, Peter, Cardiff, Glamorgan, Ship Chandler. March 2. Conv. Reg March 15.
Summers, Hy John, Bristol, Builder. Feb 17. Comp. Reg March 15.
Thompson, Saml, & Joseph Fryer, Derby, Builders. March 10. Conv. Reg March 17.

Tonks, Edwin Jas, Willenhall, Stafford, Lock Manufacturer. March 4. Conv. Reg March 15.
Viner, Joseph John, Brighton, Sussex, House Decorator. March 1. Comp. Reg March 15.
Wadmore, Fredk, & Martha Sidney Wadmore, Widow, Drapers. Feb 23. Asst. Reg March 16.
Walduck, Herbert John, & Chas Edwd Walduck, Manch, Iron Merchants. March 8. Arr. Reg March 15.
Walford, Saml, Matthew, Stockport, Chester, Joiner. March 10. Comp. Reg March 17.
Ward, John, & Elijah Myers, Leicester, Web Manufacturers. Feb 18. Comp. Reg March 17.
Warren, John, East Retford, Nottingham, Builder. Feb 23. Conv. Reg March 15.
Watch, Wm, Brighton, Sussex, Dealer in Boots. Feb 20. Comp. Reg March 15.
Wenham, Edwd, Hastings, Saddler. March 3. Comp. Reg March 16.
Wilke, Chas, Ashton-under-Lyne, Waste Dealer. March 4. Conv. Reg March 16.
Williams, John, Austin-ter, Battersea-park, out of business. March 10. Comp. Reg March 15.
Williamson, Richd, South Wingfield, Derby, Miller. Feb 24. Conv. Reg March 16.
Winter, Saml, Dorking, Surrey, Builder. March 9. Conv. Reg March 16.
Wyeth, John, Old Alresford, Southampton, Yeoman. Feb 16. Conv. Reg March 14.

TUESDAY, March 21, 1865.

Attwood, Wm Hy, Luton, Bedford, Builder. March 13. Comp. Reg March 20.
Bendelack, Chas, Burnley, Lancaster, Merchant. March 6. Conv. Reg March 21.
Booth, Wm, Nottingham, Lace Manufacturer. Feb 25. Comp. Reg March 18.
Brooke, Walter, Manch, Salesman. March 10. Comp. Reg March 18.
Broom, Wm Tyrer, & Alfred Welsby Broom, Lpool, General Brokers. March 15. Conv. Reg March 20.
Brown, Wm, Bristol, Linen Draper. March 2. Asst. Reg March 17.
Bryan, Thos, Birm, Grocer. Feb 20. Comp. Reg March 20.
Bryett, Wm Nickles, Pentonville-rd, Iron Bedstead Manufacturer. Feb 28. Comp. Reg March 18.
Bullock, Jas, Chorlton-upon-Medlock, Grocer. March 6. Comp. Reg March 17.
Caldecott, Hy, Praed-st, Draper. Feb 22. Comp. Reg March 21.
Carr, Thos, & Jas Leaver, Blackburn, Lancaster, Cotton Manufacturers. March 6. Comp. Reg March 20.
Clark, Edwin, Brick-lane, Bethnal-green, Baker. Feb 20. Comp. Reg March 18.
Clement, Thos, jun, Swansea, Glamorgan, Licensed Victualler, Feb 21. Comp. Reg March 17.
Cohen, Saml, Goulston-sq, Whitechapel, out of business. March 17. Comp. Reg March 20.
Cordy, Wm, King's-rd, Chelsea, Grocer. March 8. Conv. Reg March 21.
Davies, Geo, Manch, Joiner. March 14. Comp. Reg March 20.
Dix, Richd, White Lion-st, Clerkenwell, Lamp Manufacturer. March 9. Comp. Reg March 17.
Duff, Wm, Fenchurch-st, Merchants. Feb 20. Conv. Reg March 18.
Eddy, Walter, Gosport, Hants, Painter. March 8. Conv. Reg March 21.
Elliott, Edwd, Barnet, Hertford, Cheesemonger. March 15. Comp. Reg March 17.
Garstang, Jas, Over Darwen, Lancaster, Cotton Manufacturer. Feb 22. Conv. Reg March 20.
Gorringe, Fras, Brighton, Hotel Keeper. March 20. Conv. Reg March 20.
Green, Richd, Sharples, Lancaster, Gas Manager. March 2. Conv. Reg March 20.
Heald, Hy, Whalley, Lancaster, & Ellen Thompson, Newcastle-upon-Tyne, Cotton Spinners. Feb 27. Conv. Reg March 15.
Higgins, Chas, & Jas Cattle, Lpool, Wholesale Druggists. March 15. Conv. Reg March 17.
Hobkinson, Wm, Beckwithshaw, York, Shopkeeper. Feb 20. Asst. Reg March 20.
Humphries, Wm, New Ormond-st, Queen's-sq, Licensed Victualler. Feb 18. Conv. Reg March 18.
Jackson, Peter, Kingston-upon-Hull, Boot and Shoe Maker. March 6. Conv. Reg March 18.
Jacobs, Chas, Kentish-town-rd, Undertaker. March 14. Comp. Reg March 20.
James, Chas, Wells, Somerset, Butcher. Feb 20. Comp. Reg March 20.
Jennings, John, Melksham, Wilts, Draper. March 6. Asst. Reg March 20.
Jones, Jas, Mangotsfield, Gloucester, Builder. March 16. Comp. Reg March 20.
King, John, Hearnor, Derby, Lace Manufacturer. Feb 21. Conv. Reg March 21.
Latham, Saml, Manch, Timber Merchant. Feb 21. Comp. Reg March 21.
Lingard, Hy John, Mount-pl, Whitechapel-rd, Estate Agent. March 13. Arr. Reg March 18.
Long, Sarah, Kenilworth, Warwick, Plumber. Feb 18. Asst. Reg March 18.
Marnden, David, Tredegar, nr Newport, Monmouth, Draper. Feb 24. Conv. Reg March 18.
Mascha, Joseph, & Hy Haschko, Bow-lane, Comm Agents. March 1. Comp. Reg March 20.
Nevatt, Geo, Petworth, Sussex, Tailor. Feb 21. Comp. Reg March 20.
Ockelford, Hy, Whitechapel-rd, Furniture Dealer. March 8. Arr. Reg March 20.
Parriah, John, Huddersfield, Wholesale Grocer. March 10. Conv. Reg March 21.
Paulsen, Edwd, Mark-lane, Comm Merchant. Feb 20. Inspection. Reg March 20.

Peters, Joel, High-rd, Lee, Kent, Builder. March 7. Arr. Reg. March 21.
 Pickard, Benj. & Ann Chapman, South Milford, Sherburn, York, Corn Millers. Feb 17. Conv. Reg March 17.
 Rosen, Julius, Bristol, Picture Frame Maker. Feb 27. Comp. Reg March 18.
 Rowland, Wm. Hy, Cambridge-pl, Paddington, Plumber. Feb 27. Comp. Reg March 17.
 Skinner, Hy John Hunt, & Frank Newton Streetfield, Nicholas-lane, Ship and Insurance Brokers. March 8. Conv. Reg March 21.
 Solomon, Lewis, Princes-st, Spitalfields, Boot Manufacturer. March 8. Asst. Reg March 20.
 Staggs, Thos, & Alex Edwards, St Paul's-churchyd, Trimming Manufacturers. Feb 20. Comp. Reg March 18.
 Tetley, Jas, Birstal, York, Worsted Manufacturer. March 1. Comp. Reg March 20.
 Thompson, Amos, Dowsbury, York, Slater. March 8. Comp. Reg March 20.
 Turner, Thos, Preston, Lancaster, Joiner. Feb 23. Comp. Reg March 20.
 Wadsworth, Walter, Huddersfield, Dyer. Feb 27. Comp. Reg March 21.
 Wait, Joseph, Chorlton-upon-Medlock, File Manufacturer. Feb 18. Conv. Reg March 17.
 Walker, Joseph, Longwood, Huddersfield, Mungo Merchant. Feb 17. Conv. Reg March 17.
 Williams, David Hy, New Tredegar, Bedwelty, Monmouth, Grocer. Feb 23. Conv. Reg March 18.
 Williams, Wm, Claughten, Chester, Comm Agent. Feb 23. Conv. Reg March 21.
 Woolf, Benj, & Israel Cohnreich, Hackney-rd, Boot and Shoe Manufacturers. March 1. Conv. Reg March 20.

Bankrupts.

FRIDAY, March 17, 1865.

To Surrender in London.

Bingham, Hy Stinson, New-rd, Rotherhithe, Tailor's Assistant. Pet March 13. March 28 at 2. Harrisons, Walbrook.
 Bird, Matthew, Prisoner for Debt, London. Pet March 14 (for pau). March 27 at 12. Hill, Basinghall-st.
 Billen, Israel, King's Lynn, Norfolk, Butcher. Pet March 16. March 28 at 1. Nicholls & Clarke, Lincoln's-inn.
 Burr, Lawrence, Brooklands, Lea-bridge, Essex, Warehouseman. Pet March 9. March 27 at 12. Nicholls & Clarke, Lincoln's-inn.
 Cooke, Chas, Northampton, Butcher. Pet March 15. March 28 at 2. Metcalfe, Furnival's-inn.
 Cooke, Geo, Northampton, Shoe Manufacturer. Pet March 17. March 27 at 1. Becke & Son, Northampton.
 Corbyn, Wardle, Walcot-pl, Kennington, Musical and Dramatic Agent. Pet March 13. March 28 at 2. Padmore, Westminster-bridge-rd.
 Cubitt, Thos Riches, Prisoner for Debt, London. Pet March 15. March 28 at 12. Atkinson, High Holborn.
 Deakin, Peter Hy, Southgate-rd, De Beauvoir-town, out of business. Pet March 13. March 27 at 2. Webb, Austin-frars.
 Easter, Robt, Snape, Suffolk, Draper. Pet March 23. March 28 at 2. Howell, Cheapside.
 Eaton, John, Titmarsh, Northampton, Builder. Pet March 14. April 11 at 12. Murrugh, Gray's-inn.
 Edwards, Joseph, Aldenham-ter, Old St Pancras-rd, Boot and Shoe Maker. Pet March 14. March 27 at 12. Marshall, Hutton-garden.
 Flood, Jas, Prisoner for Debt, London. Pet March 14 (for pau). April 12 at 11. Woodbridge, Clifford's-inn.
 Goodman, Wm, Northleigh, Oxford, Farmer. Pet March 13. March 27 at 2. Lee, Witney.
 Green, Stephen, Bow-rd, Licensed Victualler. Pet March 14. March 27 at 12. Bannister & Robinson, Lombard-st.
 Hall, John, Church-st, Waterloo-rd, out of business. Pet March 13. March 27 at 12. Charlton, Blackfriars.
 Johnson, John Fredk, Long-alley, Cabinet Maker. Pet March 15. April 12 at 12. Mason, Chancery-lane.
 Miller, Geo, Pembroke-rd, Kensington, Grocer. Pet March 13. March 27 at 12. Hill, Basinghall-st.
 Parsons, Geo, Walworth, Engineer. Pet March 15. March 27 at 1. Marshall, Hutton-garden.
 Pope, Fredk, Prisoner for Debt, Newcastle-upon-Tyne. Adj March 10. March 28 at 2.
 Schwend, Geo, Stoney-lane, Houndsditch, Baker. Pet March 14. March 27 at 2. Moss, Gracechurch-st.
 Smith, Ann, Crown-ct, Pall-mall, out of business. Pet March 12. March 27 at 2. Hill, Basinghall-st.
 Timson, Wm, Burdett-rd, Limehouse, Journeyman Painter. Pet March 15. April 11 at 12. Marshall, Hutton-garden.

To Surrender in the Country.

Allen, Jas, Marple Chester, Journeyman Baker. Pet March 10. Stockport, April 7 at 12. Howard, Stockport.
 Amore, Chas, Calne, Wilts, out of business. Pet March 14. Bristol, March 29 at 11. Henderson, Bristol.
 Baldon, Thos, Salford, Lancaster, Railway Inspector. Pet March 13. Salford, April 1 at 9.20. Cobbett & Wheeler, Manchester.
 Baker, John Moss, Kingswinford, Stafford, out of business. Pet March 13. Stourbridge, April 3 at 10. Collis, Stourbridge.
 Balkwill, John, Exeter, Boot Maker. Pet March 18. Exeter, March 29 at 11. Flood, Exeter.
 Balesdon, Wm, Bristol, Commercial Traveller. Pet March 14. Bristol, March 29 at 11. Brittan & Son, Bristol.
 Barker, Alfred, Birmingham, out of business. Pet March 16. Birmingham, April 3 at 12. Collis & Ure, Birmingham.
 Baron, Jas, jun, Whalley, Lancaster, Comm Agent. Pet March 13. March, March 27 at 12. Wheeler, Manchester.
 Brownsword, John Hind, Nottingham, Silk Merchant. Pet March 14. Birmingham, March 28 at 11. Maples, Nottingham.
 Buckler, Nathan, Chilvers Coton, Warwick, Boatman. Pet March 13. Nuneaton, April 1 at 11. Creddock, Nuneaton.
 Bailey, Hy, Boston, Lincoln, Plumber. Pet March 14. Birmingham, March 28 at 11. Ashwell, Nottingham.

Carmichael, Archibald, St Olive, Exeter, Draper. Pet March 7. Exeter, March 30 at 11. Pitts, Exeter.
 Churchin, Christopher, Bilton, Gloucester, Butcher. Pet March 15. Bury, March 29 at 11. Dix, Bristol.
 Coop, Joseph, Leemans-hill, Lancaster, Beerseller. Pet March 15. Bury, March 29 at 10. Watson, Bury.
 Cooper, Mark, Topcliffe, York, Innkeeper. Pet March 13. Leeds, March 27 at 11. Simpson, Leeds.
 Cushing, Wm Dixon, Hilguy, Norfolk, Blacksmith. Pet March 13. Downham Market, April 3 at 10. Walpole, Northwoud.
 Dallow, Joseph, Birmingham, Journeyman Wheelwright. Pet March 14. Birmingham, April 10 at 10. Barber, Birmingham.
 Davies, Thos, jun, Llanerchymedd, Anglesey, Builder. Pet March 14 (for pau). Llangefni, March 30 at 11. Williams, Beaumaris.
 Frank, Robt, Leeds, York, out of business. Adj March 9. Whitby, March 30 at 1. Harle, Leeds.
 Goodall, Jas Soholes, March, Warehouseman. Pet March 14. March 28 at 11. Hulton, Salford.
 Hitchin, Thos, Birmingham, Lamp Manufacturer. Pet March 16. Birmingham, March 31 at 12. Assinder, Birmingham.
 Hollings, John, Eggborough, York, out of business. Pet March 15. March 27 at 11. Simpson, Leeds.
 Hooper, Geo, Rolph, Sandown, Isle of Wight, Hants, Fishmonger. Pet March 11. March 29 at 11. Hooper, Newport.
 Hoskins, David, Gover-inn, Swansea, Glamorgan, Licensed Victualler. Pet March 13. Bristol, March 29 at 11. Simons & Morris, Swansea.
 Hudson, John, Barrow-upon-Soar, Leicester, Victualler. Pet March 13. Loughborough, March 31 at 10. Giles, Loughborough.
 Humphreys, Arthur, Livery Stable Keeper. Pet March 15. Birmingham, April 3 at 12. Birm, Birmingham.
 Jackson, Thos, Spalding, Lincoln, Spaldingmaker. Pet March 13. Spalding, March 31 at 9. Percival, Spalding.
 Knowles, Wm, Lytham, Lancaster, Butcher. Pet March 13. Kirkham, March 29 at 10. Blackburn, Preston.
 Liptrot, Roger, Wigan, Lancaster, Agent. Pet March 13. March, March 29 at 12. Pence, Wigan.
 Mulock, Isaac, West Derby-rd, Lancaster, Beerseller. Pet March 14. Lpool, March 28 at 3. Preston, Lpool.
 Newman, Jas, Havant, Hants, Veterinary Surgeon. Pet March 13. Portsmouth, March 28 at 11. White, Portsea.
 Oakford, Jas, St Sidwell, Exeter, Fishmonger. Pet March 13. Exeter, March 27 at 11. Rogers, Exeter.
 Patchett, John, Birmingham, Grocer. Pet March 14. Birmingham, April 10 at 10. Parry, Birmingham.
 Payne, Wm, Prisoner for Debt, Leicester. Adj March 10. Leicester, April 1 at 11.30. Rawlings, Market Harborough.
 Peterson, Hy, Odcombe, Somerset, Dealer in Coal. Pet March 16. Yeovil, March 31 at 12. Watts, Yeovil.
 Proctor, Thos, Sedgely, Stafford, Shoe Maker. Pet March 14. Birmingham, March 29 at 12. Stratton, Wolverhampton.
 Reed, Mary, Newcastle-upon-Tyne, Dealer in Clothes. Adj March 10. Newcastle-upon-Tyne, April 12 at 12. Hoyie, Newcastle-upon-Tyne.
 Rogers, Wm, Robertabridge, Sussex, Licensed Victualler. Pet March 15. Hastings, April 1 at 11. Bilson, Hastings.
 Sage, Joseph, Bristol, Ship Builder. Pet March 14. Bristol, March 29 at 11. Abbott & Leonard, Bristol.
 Shaw, Joseph, Birmingham, Journeyman Silversmith. Pet March 13. Birmingham, April 10 at 10. Parry, Birmingham.
 Smith, Geo, Hestham, Northumberland, Builder. Pet March 4. Newcastle-upon-Tyne, April 3 at 12. Watson, Newcastle-upon-Tyne.
 Smith, Wm, Ruskington, Lincoln, out of business. Pet March 13. Sleaford, March 30 at 10. Snow, Sleaford.
 Taylor, Joel, Nottingham, Ale and Porter Merchant. Pet March 16. Nottingham, April 4 at 11. Preston, Nottingham.
 Tait, Wm, Blyth, Northumberland, Builder. Pet March 14. North Shields, March 28 at 12. Brewis, Blyth.
 Tumbrough, Robt, jun, Barrow-in-Furness, Lancaster, Sawyer. Pet March 14. Ulverston, March 30 at 10. Jackson, Ulverston.
 Tipper, Jas, Burton-on-Trent, Journeyman Carpenter. Pet March 9. Burton-on-Trent, April 3 at 1. East, Birmingham.
 Towers, John, Manchester, Professor of Music. Pet March 14. March, March 29 at 11. Slater & Co, Manchester.
 Wells, Jas, jun, Gt Grimsby, Lincoln, Fruiterer. Pet March 13. Gt Grimsby, March 28 at 1. Summers, Hull.
 Whitworth, Mary Ann, Torquay, Devon, Widow, News-vendor. Pet March 10. Exeter, March 24 at 12. Flood, Exeter.
 Yoxall, Geo, Salop, Cattle Dealer. Adj March 9. Birmingham, March 31 at 12. James & Griffin, Birmingham.

TUESDAY, March 21, 1865.

To Surrender in London.

Allen, Robt Geo, Lewisham, Journeyman Smith. Pet March 17. April 10 at 11. Marshall, Hutton-garden.
 Baker, Geo, New-st, New Cut, Blackfriars-rd, Foulterer. Adj March 15. April 10 at 2. Aldridge.
 Bennett, Thos Tomlinson, Broad-st, Golden-sq, Builder. Pet March 17. April 10 at 12. Dubois, Church-passage, Gresham-st.
 Dunster, Chas, Russell-st, Rotherhithe, Waterman. Pet March 16. April 12 at 12. Harrison, Basinghall-st.
 Eld, John, Cheapside, Manufacturer of Ventilators. Adj March 15. April 10 at 12. Aldridge.
 Fauchon, Robt Shipbourne, Tunbridge, Kent, out of business. Pet March 17. April 10 at 12. Sadgrove & Son, Mark-lane.
 Fowler, Thos Geo, Queen's-row, Walworth, House Painter. Adj March 15. April 10 at 2. Aldridge.
 Harris, Phebe, Park-lane, Park-rd, Dalston, Laundress. Pet March 17. April 11 at 12. Hall, Coleman-st.
 Hume, Hamilton, Blandford-sq, Journalist. Pet March 17. April 11 at 11. Richardson, Old Jewry-chambers.
 Mahim, Lewis Bragante, Albert-ter, Bridge-rd, Battersea, Clerk in an insurance office. Pet March 14. April 11 at 11. Paddison, New Boswell-court.
 Marshall, Thos, Henry-pl, Barnsbury-rd, Assistant Stable Keeper. Adj March 15. April 10 at 2. Aldridge.
 Pugh, Chas Vaughan, Worthing, Sussex, Captain 90th Regt. Adj March 17. April 10 at 2. Aldridge.

Satchwell, Geo. Church-st. Hackney, Chesebonger. Pet March 16.
 April 10 at 11. Peverley, Coleman-st.
 Solley, Ralph, Preston, Wingham, Kent, Licensed Victualler. Pet
 March 17. April 12 at 12. Nichols & Clark, Cook's-st, Lincoln's-
 inn.
 Stranger, Jas. Hayden's-lane, Wimbledon, Stonemason. Pet March
 17. April 12 at 1. Hill, Basinghall-st.
 Thick, Thos. Upper Church-st, Chelsea, Sailor. Adj March 15.
 April 10 at 2. Aldridge.
 Thring, Edwd, Bellevue-ter, Seven Sister's-rd, Holloway, Comedian.
 Pet March 15. April 12 at 11. Marshall, Hatton-garden.
 Vilnot, Augustus, Southwark-chambers, Southwark, Merchant. Adj
 March 15. April 10 at 2. Aldridge.
 Webster, Arthur, Prisoner for Debt, London. Pet March 16 (for pau).
 April 10 at 11. Olive, Portsmouth-st, Lincoln's-inn-fields.
 Whiston, Thos, Gosport, Hants, Tailor. Pet March 18. April 12 at 1.
 Wells, Moorgate-st.
 Woods, Chas. Ventnor, Isle of Wight, Butcher. Pet March 16. April
 12 at 11. Harrison & Lewis, Old Jewry.
 Young, Wm Hy, Bishopgate-st Without, Bookseller. Pet March 17.
 April 10 at 11. Harrison & Lewis, Old Jewry.

To Surrender in the Country.

Barker, Edwd, Oldham, Cotton Waste Dealer. Adj Feb 15. Lancaster
 Castle, April 6 at 12. Taylor, Oldham.
 Barker, Thos, Burslem, Beerseller. Pet March 20. Hanley, April 1 at
 11. Tennant, Hanley.
 Bennett, John Bennet, Leeds, Journeyman Cloth Drawer. Pet March
 17. Leeds, April 3 at 11. North and Son, Leeds.
 Bransett, Archibald, Archibald, Norfolk, Baker. Pet March 17. East
 Dereham, April 10 at 10. Sadd, Norwich.
 Brooke, Harrison, Dewsbury, York, Grocer. Pet March 17. Dewsbury,
 March 31 at 11. Iberson, Dewsbury.
 Brown, Hy, Willenhall, Stafford, Tailor. Pet Feb 27. Wolverhampton,
 April 6 at 12. Cresswell, Wolverhampton.
 Brown, Webster, Loughborough, Leicester, Hosier's Warehouseman.
 Pet March 17. Loughborough, April 3 at 11. Giles, Loughborough.
 Brunton, Jas, Lancaster, Journeyman Blacksmith. Pet March 17.
 Lancaster, March 31 at 12. Gardner, Manchester.
 Chilcott, Geo Wm, Charmouth, Dorset, Miller. Pet March 18. Exeter,
 March 31 at 2. Tweed, Honiton, & Floud, Exeter.
 Chilton, Hy, Salop, Journeyman Blacksmith. Pet March 11. Wellington,
 April 21 at 11. James, Wellington.
 Clarke, Stephen, Bradwell, Suffolk, Miller. Pet March 10. Gt Yar-
 mouth, March 31 at 12. Dyer, Gt Yarmouth.
 Cooper, Geo, Bury, Lancaster, Mechanic. Pet March 17. Bury, April
 6 at 10. Anderton, Bury.
 Cory, Fredk Edwd, Swaffham, Norfolk, Bootmaker. Pet March 15.
 Swaffham, April 6 at 10. Winears, Swaffham.
 Cox, Anniss, North Nibley, Gloucester, Grocer. Pet March 16.
 Dursley, April 5 at 12. Clutterbuck, Stroud.
 Day, Noah, Taunton, Somerset, Builder. Pet March 9. Exeter, April
 5 at 12. Reeves, Taunton, and Hirtzell, Exeter.
 Donkin, John, Prisoner for Debt, Durham. Adj March 15. New-
 castle-upon-Tyne, April 4 at 11.30. Hoyle, Newcastle-upon-Tyne.
 Fliegeltaub, Abraham David, Lpool, Draper. Pet March 17. Lpool,
 April 3 at 3. Henry, Lpool.
 Foulkes, Thos, Mold, Flint, Bricklayer. Pet March 14. Mold, April
 18 at 12. Farry, Mold.
 Fowler, Wm, Bayford, Somerset, Butcher and Pork Dealer. Pet March
 16. Bristol, March 31 at 11. Press & Inskip, Bristol.
 Fox, Danl, Prisoner for Debt, Maidstone. Adj Feb 17. Maidstone,
 April 1 at 12. Minter, Dover.
 Foxwell, Llewellyn, Sinwell Farm, Wotton-under-Edge, Gloucester,
 no business. Pet March 7. Bristol, April 3 at 11. Pigeon, Bristol.
 Gates, Chas, Farnham, Surrey, Draper's Assistant. Pet March 14.
 Farnham, April 4 at 3. White, Guildford.
 Good, Edmd, Portsea, Hants, Beer Retailer. Pet March 16. Ports-
 mouth, March 31 at 11. White, Portsea.
 Graham, John, Newcastle-upon-Tyne. Pet March 15. Bishop Auck-
 land, April 3 at 1. Dickinson, Newcastle-upon-Tyne.
 Graves, John Wm, Prisoner for Debt, Lancaster. Adj March 15.
 Lpool, April 3 at 3.30. Hime, Lpool.
 Green, Thos, Old Bolingbroke, Lincoln, Schoolmaster. Pet March 13.
 Spilbey, March 29 at 11. Walker, Alford.
 Griffiths, Wm, Pembroke Dock, Pembroke, Shipwright. Pet March
 18. Pembroke, April 8 at 9.30. Farry, Pembroke Dock.
 Harrison, Thos, Prisoner for Debt, York. Adj March 11. Gt Driffield,
 April 1 at 10. Jennings, Gt Driffield.
 Hayward, Eliza, Hereford, Widow. Pet March 17. Birm, March 31 at
 12. Suckling, Birm.
 Henthorn, Seth, Atherton, Lancaster, Clogger. Pet March 16. Leigh,
 April 5 at 1. Edge, Bolton.
 Heselaine, Wm John, Bishopwearmouth, Durham, Dealer in Boots.
 Pet March 15. Sunderland, April 7 at 12. Barker, Sunderland.
 Hitchcock, Robt Jacob, Prisoner for Debt, Walton. Adj March 15.
 Lpool, April 3 at 11.
 Hodgson, John, Wrayton, Melling, Lancaster, Draper. Pet March 9.
 Kirby Lonsdale, March 28 at 2. Pearson & Co, Kirby Lonsdale.
 Hopkinson, John, Bury, Lancaster, Beerhouse Keeper. Pet March 17.
 Bury, April 6 at 9. Anderton, Bury.
 Hoskins, Jas, Blaenauv, Llanover Upper, Underground Contractor.
 Pet March 15. Abergavenny, April 4 at 11. Lloyd, Pontypool.
 Houghton, Wm, Prisoner for Debt, Walton. Adj March 15. Lpool,
 April 3 at 11.
 Hughes, Joseph Ferdinand, & John Spittle Hughes, Wednesbury,
 Stafford, Tube Manufacturers. Pet March 20. Birm, April 7 at 12.
 Hayes, Wolverhampton.
 Ibbotson, Abraham, Sheffield, Licensed Victualler. Pet March 7.
 Leeds, March 31 at 12. Ryalls, Sheffield.
 Jones, John, Tanygrisiau Festiniog, Merioneth, Draper. Pet March 18.
 Lpool, April 12 at 12. Evans & Co, Lpool, for Jones, Portmadoc.
 Jones, Thos, Willenhall, Stafford, Charter Master. Pet March 13.
 Wolverhampton, April 6 at 12. Cresswell, Wolverhampton.
 Lancaster, Joseph, Prisoner for Debt, Appleby. Adj March 9.
 Appleby, March 27 at 11. Shepherd, Appleby.
 Lewis, Wm, Ross, Hereford, Coach Builder. Pet Feb 9. Ross, April
 8 at 12. Minett, Ross.

Little, Wm, Wolsingham, Durham, Publican. Pet March 14. Wolsing-
 ham, April 3 at 10. Brignall, Durham.
 Lupton, Thos, Bradford, York, Wool and Waste Dealer. Pet March
 17. Bradford, April 11 at 10. Harle, Leeds.
 Mann, Edwd, Lpool, Beerhouse Keeper. Adj March 15. Lpool, April
 3 at 3.30. Hime, Lpool.
 Marks, Morris, Cheltenham, Gloucester, Tailor. Pet March 17.
 Bristol, March 31 at 12. Henderson, Bristol.
 Mence, John, jun, Dodderhill, Worcester, Farmer. Pet March 18.
 Birm, April 3 at 12. Wilson, Worcester.
 Morrey, Hy, Grappenhall, Chester, Farmer. Pet March 16. Warring-
 ton, April 13 at 1. Moore, Warrington.
 O'Hara, John, Prisoner for Debt, Walton. Adj March 15. Lpool,
 April 4 at 11.
 Pike, Joseph, Aberdare, Glamorgan, Fishmonger. Adj Jan 12. Aber-
 dare, April 4 at 11.
 Fooley, Hy, Everton, Lancaster, Joiner. Pet March 16. Lpool,
 March 31 at 11. Harris, Lpool.
 Potter, Alfred Geo, Warmley, Gloucester, Pig Butcher. Pet March 18.
 Bristol, April 3 at 11. Henderson, Bristol.
 Rennison, Wm John, Manch, Architectural Assistant. Pet March 15
 (for pau). Lancaster, March 31 at 12. Johnson & Tilly, Lancaster.
 Richardson, Wm, Appleby, Huddersfield, Coal Merchant. Pet March
 10. Huddersfield, April 24 at 10. Bottomley, Huddersfield.
 Robinson, Matthew Dent, Barrow-in-Furness, Lancaster, Grocer. Pet
 March 16. Ulverston, March 30 at 10. Relph, Ulverston.
 Robson, Eliz, Tunstall, Stafford, Spinster, out of business. Adj
 March 14. Hanley, April 1 at 11. Stevenson, Stoke-upon-Trent.
 Robson, Thos, High Newton, Bellingham, Northumberland, Shooc-
 maker. Adj March 16. Bellingham, April 6 at 9. Taylor, Hexham.
 Rooney, Geo Patrick, Everton, Lpool, Builder. Pet March 15. Lpool,
 April 4 at 11. Best, Lpool.
 Scott, David, Prisoner for Debt, Lancaster. Pet March 13 (for pau).
 Lancaster, March 31 at 12. Gardner, Manch.
 Sibbering, Joseph, Neath, Glamorgan, Woollen Factor. Pet March 18.
 Bristol, April 3 at 11. Beer, Swansea, and Henderson, Bristol.
 Simon, John, Higher Frammere, Chester, Builder. Pet March 16.
 Lpool, March 31 at 12. Best, Lpool.
 Spencer, Hartley, & Robt Smith, Hill Top, Burnley, Lancaster, Cotton
 Manufacturers. Pet March 17. Manch, April 4 at 12. Hartley,
 Burnley, and Boote & Co, Manch.
 Stitt, Geo, Lpool, Merchant's Clerk. Pet March 11 (for pau). Manch,
 March 31 at 12. Johnson & Tilly, Lancaster.
 Summerell, Thos, Two Mile-hill, St George's, Gloucester, Grocer.
 Pet March 18. April 3 at 11. Henderson, Bristol.
 Summerfield, Joseph, Mounssorrel, Leicester, Labourer. Pet March
 18. Loughborough, April 3 at 11. Deane, Loughborough.
 Sylvester, Wm, Pembroke, Hereford, Farmer. Pet March 19. King-
 ton, April 4 at 11. Cheese, Kington.
 Thomas, David Wm, Cardiff, Glamorgan, Bookseller. Pet March 17.
 Cardiff, April 3 at 11. Stephens, Cardiff.
 Thomas, Joseph Geo, Torquay, Devon, Painter. Pet March 18.
 Newton Abbot, April 1 at 11. Michelmore, Newton Abbot.
 Ward, Jas, Briggate, Leeds, Stationer. Pet March 16. Leeds, April
 8 at 12. Harle, Leeds.
 Welsh, David, Lpool, District Inspector. Pet March 11 (for pau).
 Lancaster, March 31 at 12. Johnson & Tilly, Lancaster.
 Wilkinson, Jas, Leeds, Licensed Victualler. Pet March 15. Leeds,
 April 3 at 11. Bond & Barwick, Leeds.
 Williams, David, Llanasa, Flint, Draper. Pet March 20. Lpool,
 April 3 at 11. Davies, Holywell.
 Wilson, Edwin, Dewsbury, York, Manufacturer. Adj March 11.
 Leeds, April 3 at 11.
 Woodward, Chas Geo, Wolverhampton, Greengrocer. Pet March 3.
 Wolverhampton, April 7 at 12. Stratton, Wolverhampton.

BANKRUPTCIES ANNULLED.

FRIDAY, March 17, 1865.

Collins, Hy, Boyle-st, Burlington-gardens, Land Agent. March 13.
 Butler, Hy Wm, Merton, Surrey, Floor Cloth Manufacturer. March 17.
 Rodson, Wm, Masbrook, York, Grocer. Feb 20.

SLACK'S SILVER ELECTRO PLATE is a coat-
 ing of pure Silver over Nickel. A combination of two metals pos-
 sessing such valuable properties renders it in appearance and wear equal
 to Sterling Silver.

	Fiddle Pattern.	Thread.	King's.
Table Forks, per doz.....	£ s. d. £ s. d. £ s. d.		
	1 10 0 and 1 18 0	2 3 0	3 0 0
Dessert ditto	1 0 0 and 1 10 0	1 15 0	2 2 0
Table Spoons	1 10 0 and 1 18 0	2 8 0	3 0 0
Dessert ditto	1 0 0 and 1 10 0	1 15 0	2 2 0
Tea Spoons	0 12 0 and 0 18 0	1 3 6	1 10 0

Every Article for the Table as in Silver. A Sample Tea Spoon
 forwarded on receipt of 20 stamps.

SLACK'S FENDER AND FIRE-IRON WARE-
 HOUSE is the MOST ECONOMICAL, consistent with good quality—
 Iron Fenders, 3s. 6d.; Bronzed ditto, 8s. 6d., with standards; superior
 Drawing-room ditto, 12s. 6d. to 50s.; Fire Irons, 2s. 6d. to 20s. Patent
 Dish Covers, with handles to take off, 18s. set of six. Table Knives
 and Forks, 8s. per dozen. Roasting Jacks, complete, 7s. 6d. Tea-trays,
 6s. 6d. set of three; elegant Papier Maché ditto, 25s. the set. Teapots,
 with plated knob, 5s. 6d.; Coal Scuttles, 2s. 6d. A set of Kitchen Uten-
 sils for cottage, £3. Slack's Cutlery has been celebrated for 50 years.
 Ivory Table Knives, 14s., 16s., and 18s. per dozen. White Bone Knives
 and Forks, 8s. 9d. and 12s.; Black Horn ditto, 8s. and 10s. All war-
 ranted.

As the limits of an advertisement will not allow of a detailed list, pur-
 chasers are requested to send for their Catalogue, with 350 drawings, and
 prices of Electro-Plate, Warranted Table Cutlery, Furnishing Ironmongery,
 &c. May be had gratis or post free. Every article marked in plain
 figures at the same low prices for which their establishment has been
 celebrated for nearly 50 years. Orders above £2 delivered carriage free
 per rail.

RICHARD & JOHN SLACK, 336, STRAND, LONDON,
 Opposite Somerset House.

SEVEN per CENT. GUARANTEED ON MONEY

Invested, in first registered Mortgages, through the medium of the TRUST AND AGENCY COMPANY OF AUSTRALASIA (Limited).

DIRECTORS.

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F. A. Bevan, Esq. (Messrs. Barclay, Bevan, Tritton, Twells, & Co.).
Andrew Bonar, Esq., Pembroke-square.
W. W. Cargill, Esq., M.P., Connaught-place West, Hyde-park.
Alfred Denison, Esq., Albemarle-street.
Henry Kingscote, Esq., Eaton-place.
Hon. Arthur Kinnaird, M.P. (Messrs. Ransom, Bouvier, & Co.).
Henry Loftus Wigram, Esq., Grosvenor-square.

Offices, 31, St. Swithin's-lane, London, E.C.

The Company, as agents, effect investments in first registered mortgages in Australia and New Zealand, to pay investors seven per cent. per annum, the interest being guaranteed and paid half-yearly by the Company.

The Company also issue Five per Cent. Debentures for loans for three or more years. The debentures, besides being secured by the paid-up capital and property under mortgage to the Company, have, in addition, the guarantee of unencumbered proprietary capital sufficient alone to liquidate in full the whole of the debentures that may be issued; and further, in order that the debenture-holders should be most amply protected, it is expressly provided by the Company's constitution that the Directors may borrow only to the extent of the unencumbered subscribed share capital.

Full particulars on application to the undersigned.

By order, JAMES HORA, General Manager.

DEBENTURES at 6½, 6, and 5 per CENT.—

The EAST INDIA FINANCIAL ASSOCIATION (LIMITED).
Capital (fully subscribed), £1,000,000. Paid up £150,000.

DIRECTORS.

L. Balfour, Esq.
J. Layton, Esq.
Lieut.-Col. W. MacGeorge.
W. Moran, Esq.
J. C. Palmer, Esq.
T. M. Robinson, Esq.
Sir J. S. D. Scott, Bart.
H. D. Seymour, Esq. M.P.
F. C. Sandes, Esq.

G. F. Rimington, Esq., Manager.

Established Agencies and Committees in Bombay and Calcutta.

Bankers.—Agra and Masterman's Bank, Limited.

Solicitors.—Messrs. Upton, Johnson & Upton.

The Directors of this Association, the principal operations of which are those of a Land Credit Company for India, are prepared to receive subscriptions for an issue of Debentures for £150,000, bearing interest at 6½, 6, and 5 per cent., for one, two, and three years, secured by all the property of the Company, including first-class land and house mortgages in India, in which securities the moneys so raised are to be invested.

The interest will be paid half-yearly by coupons.

7, East India-avenue, Leadenhall-street, London.

DEBENTURES at 5, 5½, and 6 per CENT.—

CEYLON COMPANY, LIMITED.
Subscribed Capital, £500,000.

DIRECTORS.

Lawford Acland, Esq., Chairman.
Major-Gen. Henry Pelham Burn.
Harry George Gordon, Esq.
George Ireland, Esq.

Manager.—C. J. BAKER, Esq.

The Directors are prepared to ISSUE DEBENTURES for one, three, and five years, at 5, 5½, and 6 per Cent. respectively.

They are also prepared to invest Money on Mortgage in Ceylon and Mauritius, either with or without the guarantee of the Company, as may be arranged.

Applications for particulars to be made at the office of the company, No. 12, Leadenhall-street, London.—By order,

JOHN ANDERSON, Secretary.

NEW ZEALAND TRUST AND LOAN COMPANY (LIMITED).

Subscribed Capital, £500,000.

TRUSTEES.

Robert Brooks, Esq., M.P. G. Grenfell Glyn, Esq., M.P.
J. J. Cummins, Esq.

DIRECTORS.

Sir Charles Clifford.
F. G. Dalgety, Esq.
R. A. Brooks, Esq.
Capt. H. Carr Glyn, R.N.
H. Selfe Selfe, Esq.
G. Fenning, Esq.

BANKERS.—Messrs. Glyn, Mills, Currie, & Co.

The Directors continue to issue Debentures of £100 and upwards for periods of three to seven years, interest on which is payable half-yearly, at their Bankers, by Coupon.

The amount of these Debentures is limited and secured by the unencumbered balance of the subscribed Capital of the Company, which must always be of an equivalent or greater amount.

They will form a first charge upon real and other property in New Zealand, on which it is the business of the Company to grant loans by way of mortgage.

Further particulars may be obtained and application made at the Offices of the Company.

By order of the Board,

THOS. D. SAUNDERS, Secretary.

31, New Broad-street, London, E.C.

ACCIDENTS to Life or Limb, in the Field, the Streets, or at Home, provided for by a Policy of the RAILWAY PASSENGERS' ASSURANCE COMPANY, 64, CORNHILL, London, E.C.

Compensation has been paid for 10,000 Claims.

£1,000 in case of Death.

£6 per week while laid up by Injury, secured by an Annual Payment of from £3 to £5 5s.

For particulars apply to the Clerks at the Railway Stations, to the Local Agents, or at the Offices, 64, CORNHILL, and 10, REGENT-STREET.

W. J. VIAN, Secretary.

LAW UNION FIRE AND LIFE INSURANCE COMPANY.

Chief Offices—126, CHANCERY LANE, W.C.

Subscribed Capital—ONE MILLION STERLING.

The Fire and Life Departments are under one management, but with separate Funds and Accounts.

Chairman—Sir WILLIAM FOSTER, Bart.

Deputy-Chairman—Mr. Sergeant MANNING, Q.A.S.

FIRE DEPARTMENT.

Capital £750,000, in addition to the Reserve Fund.

Business consists of the best classes of risks.

Insurers will be allowed the full benefit of the Reduction of Duty.

Claims settled promptly and liberally.

LIFE DEPARTMENT.

Capital £250,000, in addition to the Reserve Fund.

PREMIUMS MODERATE.

A Bonus every five years. Next Bonus in 1869. At the Division of Profits in 1864, the Reversionary Bonus amounted to from 15 to 50 per cent. per annum on the Premiums paid, varying with the ages of the Insured.

Copies of the Directors' Report and Balance-sheet, and every information, may be obtained at the Chief Office, or of any of the Agents of the Company.

FRANK MCGEDY, Secretary.

CLERICAL, MEDICAL, AND GENERAL LIFE ASSURANCE SOCIETY.

13, ST. JAMES'S-SQUARE, LONDON, S.W.

ESTABLISHED 1821.

President.—THE ARCHBISHOP OF CANTERBURY.

Chairman.—Right Hon. JOHN ROBERT MOWBRAY, M.P.

Deputy-Chairmen. { WILLIAM BOWMAN, Esq., F.R.S.
 { SIR CHARLES LOCOCK, Bart., F.R.S.

Financial results of the Society's operations.

The Annual Income exceeds.....	£201,000
The Assurance Fund safely invested is over	£1,446,000
The New Policies in the last year were 468, assuring	£271,440
The Bonus added to Policies at the last Division was.....	£375,077
The total Claims by death paid amount to	£1,962,629

The following are among the distinctive features of the Society :
CREDIT SYSTEM.—On any Policy for the whole of Life, where the age does not exceed 60, one half of the Annual Premiums during the first five years may remain on credit, and may either continue as a debt on the Policy, or be paid off at any time.

LOW RATES OF PREMIUM FOR YOUNG LIVES, with early participation in Profits.

ENDOWMENT ASSURANCES may be effected, without Profits, by which the Sum Assured becomes payable on the attainment of a specified age, or at death, whichever event shall first happen.

INVALID LIVES may be assured at rates proportioned to the increased risk.

PROMPT SETTLEMENT OF CLAIMS.—Claims paid thirty days after proof of death.

The Reversionary Bonus at the Quinquennial Division in 1863 averaged 48 per Cent., and the Cash Bonus 28 per Cent., on the Premiums paid in the 5 years.

The next Division of Profits will take place in January, 1867, and persons who effect New Policies before the end of June next will be entitled at that Division to one year's additional share of Profits over later Entrants.

Tables of Rates and Forms of Proposal can be obtained of
GEORGE CUTCLIFFE, Actuary and Secretary.

13, St. James's-square, London, S.W.

COMMISSION.

10 per Cent. on the First Premium, and 5 per Cent. on Renewals, is allowed to Solicitors. The Commission will be continued to the person introducing the Assurance, without reference to the channel through which the Premiums may be paid.

THE GUARDIAN FIRE AND LIFE ASSURANCE COMPANY.

ESTABLISHED 1821.

No. 11, LOMBARD STREET, LONDON, E.C.

SUBSCRIBED CAPITAL TWO MILLIONS.

Total Invested Funds upwards of £2,750,000.

Total Income upwards of £315,000.

Notice is hereby given that FIRE POLICIES, which expire at Lady-day, must be renewed within Fifteen Days at this Office, or with the Company's Agents, throughout the Kingdom, otherwise they become void. All insurances upon Stock-in-Trade, &c., now have the benefit of the Reduced Duty of 1s. 6d. per Cent. For prospectuses and other information apply to the Company's Agents, or to T. TALLEMACH, Secretary.

ANNUITIES AND REVERSIONS.

LAW REVERSIONARY INTEREST SOCIETY,

68, Chancery-lane, London.

CHAIRMAN.—Russell Gurney, Esq., Q.C., Recorder of London.

DEPUTY-CHAIRMAN.—Sir W. J. Alexander, Bart., Q.C.

Reversions and Life Interests purchased. Immediate and Deferred Annuities granted in exchange for Reversionary and Contingent Interests.

Loans may also be obtained on the security of Reversions.

Annuities, Immediate, Deferred, and Contingent, and also Endowments, granted on favourable terms.

Prospectuses and Forms of Proposal, and all further information, may be had at the office.

C. B. CLABON, Sec.

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